

THE MAJLIS

"VOICE of ISLAM"

VOLUME 5 NO.1

EDITORIAL

MJC — CLUTCHING AT STRAWS

The MJC in a frantic bid to bolster its un-Islamic opinion pertaining to machine-slaughtering is clutching at every straw which flows its way. Towards this end it has given prominence to a fatwa issued by Mufti Nizamuddin of Darul Uloom, Deoband. The fatwa — an English-translated version has come our way, the original Urdu version has not been seen by us — opines that machine-slaughtering is permissible and that animals of slaughtered by an automatic machine are halaal. Before proceeding to deal with the fatwa issued by the venerable Mufti Saheb, it is essential that we comment on the baneful and pernicious motives of the MJC in citing the fatwa.

The MJC and OUR Fountain of Deeni ILM, viz., Darul Uloom Deoband, are not birds of a feather. Leave alone not being birds of a feather, the MJC cherishes a deep-seated aversion for Darul Uloom as well as the Ulama who have qualified there. The MJC's derision of the Ulama emanating from the glorious portals of our Darul Uloom is common knowledge. Darul Uloom Deoband and the MJC are poles apart. The views of the MJC are generally in diametric opposition to the Fatāwa of Darul Uloom Deoband. The differences between the MJC and Darul Uloom are numerous and the animosity of the MJC Sheikhs is a consequence of such differences.

Viewing the matter in this perspective, it is abundantly clear that the MJC has cited the Darul Uloom fatwa solely to reek out capital and obtain ammunition against the Jamiatul Ulama (Natal) whose Ulama are associated with Darul Uloom Deoband. But, in this nefarious attempt, the MJC will be compelled by the Haqq to suffer depression and disappointment. Let the MJC understand that the Ulama of Haqq are MUQALLIDEEN of the Aimmah-e-Mujtahideen. We are uncompromising Muqallideen of the great Aimmah who after the Sahābah are the Warathatul Ambiyā of the highest category. Our Taqleed of the noble Heirs of Muhammadur Rasūlullāh (sallallahu alayhi wasallam) makes it utterly inconceivable and absurd for us to submit to any "fatwa", opinion or view which does not accord with the Principles of the Shariat formulated by the great Aimmah-e-Mujtahideen on the exclusive basis of the Qur'an and the Sunnah of our Nabi (sallallahu alayhi wasallam). Our Taqleed is registered in the name of the Aimmah-e-Mujtahideen. We argue and discuss on the Qur'anic Principles formulated by those illustrious Stars of Shar'i Uloom, viz., the Aimmah, in the light of the Sunnah of Rasulullāh (sallallahu alayhi wasallam). We are not the adherents of a group which offers flabby acquiescence to corrupt practices prevalent in the Muslim world of the twentieth century. Such practices may constitute "daleel" in the armoury of MJC proofs, but not for us, the followers of Rasulullāh's (sallallahu alayhi wasallam) highest and noblest Heirs after the illustrious Sahābah (ridwānullāh alayhim), viz. the A-immah.

Taqleed of the Haqq constrains us to scrutinise the fatwa and verdicts of all Ulama of our time regardless of the quarter from which such verdicts emanate. We have the utmost respect for the venerable Mufti Nizamuddin of Deoband. We cherish the highest of regard, love and respect for Darul Uloom Deoband. And, why should we not? It is OUR Fountain of Shar'i Uloom . . . our Source of Hidāyat. . . our Reference for Haqq . . . our Bastion in the fight against kufr, bātil and bid'ah . . . it is our Armoury from which we have drawn our Shar'i Weapons with which we are, Alhamdulillah thumma Alhamdulillah, today struggling against the avalanche of bātil which is desperately attempting to sap the Imān of the Ummat.

We honour Darul Uloom Deoband. The Imāni favours which that august and incomparable institution has conferred upon us and the Ummat as a whole, render us the perpetual spiritual slaves of the Ulama manning that noble Citadel of Islam. But, inspite of our hearts and souls attached to the Mother of all our Shar'i institutions

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SYRIA

TORTURE . . BRUTALITY IN THE DETENTION CAMPS OF ASSAD

Mr M.A. from the United Arab Emirates came to Damascus to see his son who was a soldier in the Arab Peace Keeping Force in Lebanon. There, he was taken to be from the Muslim Brotherhood (because he had a beard) and was arrested and subjected to severe torture. He was insulted and his torturers expressed their feeling that they would occupy the Arabic Gulf one day.

After two years an Ambassador from his country learnt about his case and worked to release him, but the Syrian security forces planned to kill him as soon as he entered Lebanon. He, however, bribed his guard and managed to escape to Jordan where he stayed in a hospital for one month. When he returned to his country he started telling the people what he had seen in the detention centre. One of the stories he told was about a doctor from Aleppo. The torturers brought his daughter undressed to the detention centre and told him to have intercourse with her. When he refused he was tortured and his eyes were gouged out, then his arms and legs were cut and tortured till he died.

(AN-NAZEER)

Extracts from the MANIFESTO of the High Command of the SYRIAN MUJAHIDEEN

The Islamic Revolution, in spite of its belief that Jihad will continue till the day of resurrection, regards jihad in its violent materialistic form as a last resort. If the rights of free dialogue between the states and peoples of the world were to exist equally, the reasons behind fighting would disappear.

(We disagree with this opinion expressed by the High Command of the Syrian Mujāhideen. There is absolutely no need to be apologetic about the Islamic command to wage Jihād against the kuffār. According to the Shariat of Islam, it is wrong to assert that "free dialogue between states" will efface the "reasons behind fighting". The main reason for Jihād--Jihād as waged by the Sahābah Kirām--was **ilālkalimatullāh** (raising the Word of Allāh). Jihād in the Shar'i sense can never disappear. The Shariat has ordained Jihād as a Fardhe Kifāyah obligation. It is entirely a different matter that the Ummat of today discovers itself impotent in this field. Indeed, the importance of Jihād is of such a lofty degree that certain Fuqahā have opined that it is the SIXTH Pillar of Imān. Jihād has been taken out of the context of its meaning accorded to it by the Shariat. Shar'i Jihād is not the restricted, confined and national campaigns being currently waged in several territories although we do concede that the national Jihād struggles waged by the people of a country are of importance, meriting thawāb and its fallen warriors are classified as Shuhadā. Insha' Allah, "The Majlis" will in a future issue present a detailed exposition of Shar'i Jihād so that Muslims gain a better understanding of the Fardhe Kifāyah Divine Command, the execution of which is impossible by the present-day Ummat which has fallen to the lowest ebb of moral, spiritual and Imāni degradation.---Editor)

We do not fight to gain people's bodies or lands, but we fight to win over their opinions. If the obstacles between us and the opinions of people were to be removed, then we are sure of Allah's victory for His true religion. We do not fear that Islam might lose in a test of free debate and reasoning as it is the religion of nature and clear mind.

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Processed chickens 'Maitah' — Pollution of Shaitan

The Muslim public is once again reminded that all processed chickens of non-muslim processing plants in South America are haraam for muslims. According to the Shariat of Islam all chickens slaughtered at non-muslim plants are carrion diseased and unhygienic--spiritually and physically destructive. All such chickens are haraam regardless of whose "halaal certificate" the kuffaar are brandishing. According to the Shariat, it is haraam for muslims to purchase, sell, consume or even feed animals with such chickens.

The Qur'an Shareef brands such chicken of the haraam carrion category as the pollution of Shaitan.

P.O. BOX 3393
PORT ELIZABETH
SOUTH AFRICA

NO NEED FOR HALAAL CERTIFICATES

In the wake of the Ulama's declaration that all processed chickens of the kuffaar are haraam, several Muslims who intend to explore the chicken market have approached us for some version of a halaal certificate or halaal announcement to pass their chickens for Muslim consumption. In view of these approaches, the Mujlisul Ulama wishes to make known the following:

- (1) The Mujlisul Ulama of South Africa does not issue Halaal Certificates.
- (2) Muslims slaughtering and selling their chickens DO NOT require any halaal certificate for their products.
- (3) No organization has the right to denounce any Muslim--individual or company--advertising his products as halaal without a halaal certificate. Certain quarters have converted "halaal certificate" into a money-making scheme, hence Muslims advertising their products as halaal are pressurized to obtain the confounded "halaal certificates".
- (4) Anyone who claims that the products of a Muslim are not halaal will have to substantiate such claims conclusively.
- (5) The chickens although slaughtered and sold by Muslims will not be regarded as halaal if they are sold to non-Muslim business hours who in turn sell to the public. The chickens will cease to be halaal at the point where Muslim supervision breaks.
- (6) To ensure the hillat (halaal nature) of the chickens, continuous Muslim supervision is a requisite. At no stage should the chickens disappear from Muslim control and supervision.

ULAMA-E-SOO'

The ulama-e-dhalāl. . . the ulama-e-soo' are those who lack the ability to distinguish between right and left; between haqq and bātil, hence they are like those who gather firewood in and excessively dark night. They know not on what their hands fall. They suffer from oblique vision. Thus they say that pictures of living beings and animals are permissible whereas Rasulullāh (sallallahu alayhi wasallam) said that these are haraam. They say that music is permissible, but Rasulullāh (sallallahu alayhi wasallam) said that it is haraam. They say that the keeping of a beard is not obligatory, but Rasulullāh (sallallahu alayhi wasallam) said that it is compulsory. They say that the recital of Tasmeah when slaughtering is unnecessary, but the Qur'an decrees it essential. They say that the intermingling of sexes is permissible, but the Qur'an prohibits it. They say that Imam Mehdi (alayhis salām) is a myth, but Rasulullāh (sallallahu alayhi wasallam) categorically asserted his reality. They are the ulama-e-soo who sap the blood of the Deen. They are those about whom Nabi-e-Kareem (sallallahu alayhi wasallam) said: "Leaders who lead astray. . ."

"They are astray and lead (others) astray."

PACKO

JAMIAT WITHDRAWS HALAAL CERTIFICATE

The Jamiatul Ulama Natal announces the withdrawal of its Halaal certificate issued to Packo (Pty) Ltd. of Verulam, Natal for their canned meat and poultry products on account of non-availability of sufficient quantities of guaranteed Halaal chickens.

Packo's canned meat and poultry products will be haraam for muslims as from 1st June, 1981.

Jamiatul Ulama Natal
Sayani Centre, Cnr. Queen & Grey Streets
Durban

REMEMBER. . . ALL SOUTH AFRICAN PROCESSED CHICKENS ARE HARAAM!

QUESTIONS and ANSWERS

MUJLISUL ULAMA OF S.A.
P.O. BOX 3393,
PORT ELIZABETH.

Q. I have been told that while the Friday Khutbah is read, if one speaks then one's Juma' Salaat is nullified.

A. It is forbidden to speak or even recite the Qur'an Sharief or some other form of Ibaadat while the Khutbah is being recited. To speak on this occasion is sinful, but the Salaat is not nullified.

Q. How is it to have Islamic lectures on big nights?

A. Many innovations and un-Islamic practices have become attached to the nights of Islamic significance (the "big" nights). Among these innovations is the compulsory custom of organizing lectures. If a lecture is not given on these "big" nights the "celebrations" are regarded incomplete and imperfect. In fact Islam has not commanded any celebration on these nights. It is necessary to discontinue the empty, ostentatious and bid'ah lectures of the "big" nights. If you have any feeling for the pure Sunnat of our Nabi (sallallahu alayhi wasallam), then you will absent yourself from all innovatory practices no matter how inconspicuous and insignificant your absence may be.

Q. I have been told that Maulana Fazlul Karim (Lahori) who translated Mishkatul Masabih into English is a Qadiani. Is this true? Is his translation authentic?

A. We are not aware of him being a Qadiani nor are we aware if his translation is authentic. We did not have the opportunity or occasion to check his history and translation. Insha'Allah, as soon as opportunity affords we will endeavour to ascertain the facts.

Q. What do you say about champagne? Someone said that it is permissible to consume it because it is grape juice.

A. It is "grape juice" in the same category as animal excrement is "food". It is khamr, the consumption of a single drop occasioning the Islamic punishment of 80 lashes with a whip which possesses the ability to despatch one into Alam-e-Barzakh.

Q. I am confused regarding the wearing of shorts when playing sport. Some say that there is nothing wrong in it while others say that it is not permissible.

A. Those who say that there is nothing wrong with it are the slaves of their carnal nufus (bestial desires). Islam has declared haraam the baring of the thighs. The satar (the part of the body which has to be compulsorily concealed) for males is from the navel to the knees. Rasulullah (sallallahu alayhi wasallam) warned the Ummat of the evil of exposing thighs.

Q. How long after zawwaal does Juma' time start?

A. It is preferable to wait about fifteen minutes after Zawwaal.

Q. Is a marriage in a non-Muslim court valid according to Islam?

A. A marriage in a non-Muslim court is not a Nikah in the Shariat.

Q. Can a Muslim man and woman live together if they have been married in court without having made nikah according to Shariat laws?

A. It is haraam for them to live together since their union will be adulterous. A court-marriage is not an Islamic Nikah.

Q. Is it improper for a Muslim woman giving birth in the hospital to ask for her after birth after having giving birth?

A. There is nothing improper about it. Non-Muslim hospital authorities discard or incinerate it, whereas a Muslim is required to bury it.

Q. A woman wants a divorce and asks her husband for it without giving him any reasons for her requests. Can the husband according to the Shariat refuse to give talaq and hold the woman against her wishes?

A. The husband is fully within his Islamic rights to refuse talaq. The wife is in great error for asking for talaq, moreover, without furnishing any reasons.

Q. When the baby is born, who has to call out the Azaan and Takbeer in the baby's ears?

A. Any Muslim may discharge this duty, preferably the father. It is not necessary for an Imaam, Sheikh or Maulana to discharge this duty. In some quarters it is considered obligatory to call in the local Imaam to recite the Azaan and Iqaamat, but this is not so.

Q. What is Islam's view regarding the practice of bringing tourists to the Masjid for sightseeing? In certain places, non-Muslim tourists are regularly brought to the Masjid and talks on Islam are given to them by the guide who shows them around the Masjid.

A. If the non-Muslims are not in the state of janaabat (but in actual fact they are always in the state of janaabat) and if they are decently clad (decently according to Islamic standards), it will be permis-

sible for them to visit the Masjid. But, it is not lawful to convert the Masjid into a tourist attraction for idle sight-seeing. The practice of having made the Masjid a stop for kuffaar tourists who troop into the Masjid in all their aspects of unholiness, viz., janaabat, semi-nudity, undignified and uncultured garments, men and women mixed, couples holding hands, is most despicable and haraam. The organizers of such Masjid-defilement are among the worst of fussaaq, fujaar and spiritual scoundrels who have no respect whatsoever for the sanctity of the House of Allah. Such organizers of difelment who desecrate the holiness of the Masjid come under the severest of Islamic strictures. The House of Allah is not an object to be defiled with unholy and immoral presence.

Q. What is the status of the Tijaaniyyah sect which is found here in Ghana? And, what does the Shariat of Allah say about their Zikr known as Salaatil Faatih?

A. The Tijaaniyyah sect is a deviated sect, far far from the Shariat of Islam. It is not permissible to follow this baatil sect. Regarding their Sallatil Faatih, the Tijaanis believe:

(a) It is equivalent to reciting the whole Qur'an six thousand times.

(b) It is equivalent to a thousand Jihaads waged in the Path of Allah.

(c) It is superior to performing a thousand Hajj. The baatil (falsehood) of these beliefs is manifest. The Shariat has not ordained this form of Zikr which the Tijaanis preach and practice. It is among their worst forms of bid'ah. It is obligatory to abstain from their practices and customs.

Q. I will be very grateful if you could let me know if it is allowed in Islam to become a blood donor?

A. It is not permissible to become a blood donor.

Q. Is it Islamically lawful to have two prices for merchandise, say R20 for cash and R25 for account?

A. It is permissible to have two prices. But, the price must be declared to the buyer at the time of selling the item.

Q. In a marriage recently, one of the two witnesses was a non-Muslim. Can a non-Muslim be a witness to a Muslim marriage?

A. For an Islamic Nikah to be valid it is essential that at least two Muslim males or one Muslim male and two Muslim females witness the Nikah. If one of the two witnesses was a non-Muslim, the Nikah is not valid and the couple are living in sin, their union being adulterous according to the Shariat.

Q. On big nights, e.g. 27th Ramadhan and 15th Sha'baan we have khatams in the Mosques. Is this correct?

A. Reciting the Qur'an Sharief is an Ibaadat of great Sawaab. The more one recites the greater the Sawaab. It is permissible to recite the Qur'an Sharief at any time. But, it is bid'at (an innovation) to organize khatams on stipulated days, such stipulated days being regarded as essential occasions for khatams. The practices in vogue in this regard are regarded by people as essential Shar'i practices. It is therefore, not permissible to participate in such unauthorised khatams. On these great nights one should go home and pass the night or part of the night in any form of Ibaadat--tilaawat, zikr, nafl salaah, istighfaar, durood, etc. But such Ibaadat should be rendered individually in the privacy of one's home and not on an organized and congregational basis as is being done in certain places.

Q. Gold is not allowed for men. Why?

A. Because Rasulullah (sallallahu alayhi wasallam) was commanded by Allah Ta'ala to decree: "Gold and silk have been made haraam for the males of my Ummat."

Q. I am a member of a Muslim organization. The constitution of the organization stipulates membership fees. If the fees are not paid, the member is not allowed to vote at meetings. What does the Shariat have to say about this set up?

A. The Shariat says that this set-up is unlawful. It is a ribaa set-up which is haraam. Membership fees are not permissible since the Islamic meaning of ribaa covers such fees. In Islam a sale of privileges and rights is baatil and unlawful.

Q. Much controversy surrounds the machine-slaughtered chickens in South Africa. The Muslim Judicial Council of the Cape says that the chickens are halaal, but the Jamiatul Ulama of Natal says that the chickens are haraam. The M.J.C. is supporting its verdict with a fatwa issued by even Deoband to which the Jamiatul Ulama is linked. What does the Mujlisul Ulama say in this matter?

A. The fatwa of the Jamiatul Ulama of Natal is the correct one. It is fully in accord with the Shariat. The machine-slaughtered chickens are haraam.

The fatwa of the M.J.C. is clearly in contradiction with the Law of Allah Ta'ala. The M.J.C. has erred in its verdict. We do not accept that the M.J.C. will support their verdict with a fatwa issued by Deoband. The M.J.C. does not accept a hundred and one things of Deoband. If some fatwa from Deoband seemingly supports their (M.J.C.'s) stand against the Jamiatul Ulama then it is obvious that the M.J.C. will utilize such a fatwa. Elsewhere in this issue of "The Majlis" appears a detailed discussion of the machine-slaughtered chickens.

Q. Whose responsibility is an illegitimate child? Does the mother or father have to maintain it?

A. In terms of the Shariat the fatherhood of an illegitimate child is not established. The mother is fully responsible for the child. According to the Shariat a woman cannot claim for maintenance from the "father" of the illegitimate child.

Q. Is it compulsory to get the permission of the first wife if a man wishes to marry again?

A. It is not compulsory. The validity of marriages is not dependant upon the consent of the first or any other wife.

Q. When the man accepts the proposal in a nikah ceremony, is it obligatory to recite the acceptance in Arabic? Is there any fixed way of reciting the acceptance?

A. It is not necessary to recite this acceptance in Arabic. It is permissible to accept the proposal by merely saying: "YES I HAVE ACCEPTED," in any language which the two Nikah witnesses understand.

Q. An Imaam performed a nikah in the presence of two Muslim witnesses. One was a man and the other a woman. Is this nikah correct?

A. No nikah took place in this case. It is essential that there be either two Muslim male witnesses or one Muslim man and two Muslim women. The "Imaam" who performed this baatil nikah is an ignoramus and an impostor. The couple, if living together, are in the state of zina and have to separate and perform the nikah correctly.

Q. I have been told that a certain peer who is supposed to be a learned man and a sufi initiates women as disciples into his spiritual order without observing any purdah. He makes them his mureeds directly. They sit in his presence without any separating screen, and the women--young and old--come into his presence without any face-covering. I am somewhat confused as I have been taught that purdah has to be observed by all, no matter how pious and learned one may be.

A. According to the Law of Allah, it is Wajib upon all Muslims to observe Purdah. Piety and knowledge do not exempt one from observance of the Shariat. This man is no peer, no shaikh, no murshid. He is a spiritual fraud out to plunder the Imaan of believers. A true Shaikh of Tasawwuf rigidly adheres to all details of Islam, even if such details are in the category of mustahab. It is inconceivable that a holy man--a man of Allah-- will abscond from the Shariat, transgress the Law of Allah Ta'ala and resort to such a heinous trick of plundering the hayaa and modesty of believing women under the garb of the Deen. In the words of Rasulullah (sallallahu alayhi wasallam), such religious miscreants and frauds are men in human bodies with hearts of the shayateen. Never go near to such men of corruption.

Q. I have read the booklet, Ultimate Miracle of the Qur'an, written by Mr Deedat of the Islamic Propagation Centre. I then saw in "The Majlis" that computer-Qur'anic meanings are not correct. What do you say about Mr Deedat's booklet which is based on meanings arrived at with the aid of a computer?

A. Insha' Allah, our detailed refutation of the baatil contained in Deedat's booklet will be published soon. Deedat's booklet is impregnated with baatil and personal views which have absolutely no sanction in the Shariat. It is imperative that Muslims do not fall in the trap of swallowing the unauthorised and un-Islamic meanings and interpretations which Deedat seeks to disseminate under the name of computerized-tafseer of the Qur'an. Much of what Deedat has written in that booklet is blasphemy in terms of the Shariat.

Q. A man had an affair with his mother-in-law. He admits to having kissed and touched her with lust but denies having had any sexual relations with her. Some persons who are aware of this incident say that this man's nikah is no longer valid. One person says that since actual zinaa was not committed, his wife remains in his nikah. What is the correct ruling of the Shariat? Assuming that the nikah has

QUESTIONS and ANSWERS

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- broken, is there any procedure by means of which the nikah could be renewed?
- A. The damage to the nikah is irreparable. Touching one's mother-in-law with lust (shahwat) rents the nikah asunder. In this case there is absolutely no way of the couple being re-married. His wife will be haraam on him forever.
- Q. When I got married many people gave me presents consisting of jewellery, clothing, etc. worth several thousands rands. Some months after our nikah, our marriage broke down and I am now Islamically divorced from my husband who gave me talaq. He, however, refuses to give me my jewellery and the other belongings which were gifts to me. I at no stage relinquished my ownership of these gifts. According to the Shariat who owns these gifts? My ex-husband or myself?
- A. If the goods were given to you as gifts, then you are the sole owner thereof. Your ex-husband has no right to withhold them from you. According to the Shariat he is guilty of a grievous sin in usurping property which does not belong to him. You are fully within your Islamic rights to demand what belongs to you.
- Q. My son has gone astray and has left home. I desire to exclude him from my Will, but I have been informed that this is not permissible. Please advise.
- A. It is not permissible to exclude him. Allah Ta'ala has decreed the rules pertaining to the distribution of the deceased's estate. The Shariat does not permit such exclusion on the basis of the grounds stated by you. Death terminates your ownership of that property which was considered as yours during life-time. Do not, therefore, court the Wrath of Allah Ta'ala on the eve of your meeting Him.
- Q. I have seen in some pamphlets issued anonymously that the Deobandi Alims believe that Allah Ta'ala has spoken a lie and that our Holy Prophet (sallallahu alayhi wasallam) is equal in knowledge to insane people, etc. How true are these charges?
- A. They are too putrid and baatil to deserve any respectable comment. The falsehood and the lies asserted by the ahle bid'ah are too despicable to warrant serious comment. Each claimant of such deliberate lies invented against the Auliya of Deoband will receive his answer directly from Allah Ta'ala in due course. Those who slander the Warathatul Ambiyaa will have their necks broken by the Divine Whip for advertising their noxious accusations.
- Q. Is it proven by the Hadith that Rasulullah (sallallahu alayhi wasallam) had no shadow?
- A. Allamah Suyuti (rahmatullah alayhi) records in Khasa'is Kubra the following Hadith narrated by Thakwa (radiallahu anhu): "Verily no shadow of Rasulullah (sallallahu alayhi wasallam) fell, neither in the sun nor the moon (neither during the day nor at night)." The Ulama of the Deen have explained that since the body of Nabi-e-Kareem (sallallahu alayhi wasallam) was Nur, he had no shadow. Nur is a celestial substance from which the angels have also been created. The bodies of angels too cast no shadow. However, it has to be observed that the Hadith by means of which this claim is asserted is "weak". The first narrator of this hadith has in fact been branded a liar and fabricator by many Muhadditheen who have not accepted his narration. In short the authenticity of the narration is not established. And, Allah knows best.
- Q. If a convert does not circumcize, does he remain a Muslim?
- A. Although it is sinful to refrain from circumcision, it is not kufr. The convert will remain a Muslim as long as he subscribes to the beliefs of Islam even if he has not circumcized.
- Q. Is it permissible to take oaths in the name of our Nabi (sallallahu alayhi wasallam)?
- A. Oaths may be taken in only the Name of Allah Ta'ala. Oaths by any name or object other than Allah Ta'ala are prohibited in the Shariat.
- Q. Some of my relatives are Admadis (followers of Gulam Ahmad of Qadian). When we meet they greet me by saying, "Assala mu alaikum". Am I allowed to reply Wa alaikumus salaam?
- A. It is not lawful for you to reply, "Wa alaikumus salaam" to the Qadiaani Kuffaar. Ahmadis are not Muslims.
- Q. Is it permissible to touch without Wudhu an English translation of the Qur'an in which appears the Arabic text as well?
- A. It is haraam to touch it without Wudhu.
- Q. By the grace of Allah I have realised the error of my past life. I am trying to make amends. It is incumbent upon me to return to the owners certain monies which I had acquired unlawfully from the, but some of these people are no longer living. What do I do in this case?
- A. Return the money to the Shar'i heirs of the deceased, and in the event of this being impossible then donate the amounts to the poor on behalf of the rightful owner.
- Q. If the parents of a child have died or for some reason are unable or refuse to care for the child, who according to the Shariat has greater right of custody? The father's mother or the mother's sister (the aunt of the child)?
- A. In this case, the child's maternal aunt (mother's sister) has the right of custody.
- Q. A certain lecturer while expounding a hadith said that by virtue of us being the followers of Nabi Muhammad (sallallahu alayhi wasallam) we are superior in rank to the other Prophets. Is this correct?
- A. The falsity of this statement is manifest. The lecturer concerned is a jahil of colossal proportion. No man or Wali or even a Sahaabi of our Nabi (sallallahu alayhi wasallam) is equal in rank to the lowest ranking Nabi. There is no higher spiritual rank than that of a Nabi. It is haraam to listen to the "lectures" of ignoramuses of the calibre of the one who blurted out this notriety.
- Q. Is a talaq given in the absence of witnesses valid?
- A. The talaq is valid. The validity of talaq is not dependant upon witnesses.
- Q. What is the correct version of the Mi'raj of our Nabi (sallallahu alayhi wasallam)? Some say that the ascension was spiritual and others say that it was a bodily event.
- A. The authoritative and correct view and belief of Islam is that Rasulullah (sallallahu alayhi wasallam) ascended physically---with his body, in the state of awakefulness---into the heavens. The spiritual view is incorrect and is not the belief of those who are on the Sunnah of our Nabi (sallallahu alayhi wasallam).
- Q. Are the members of the Agha Khan sect Muslims?
- A. Agha Khanis are not Muslims.
- Q. A certain Muslim says that all religions are forms of the one truth. He believes that Christians, Jews, Hindus and followers of all religions will attain salvation in the hereafter if their deeds are pious here on earth. According to him, salvation in the hereafter does not rest on belief in the Messengership of Muhammad (sallallahu alayhi wasallam). What is the Shariat's ruling on this man?
- A. This man is a kaafir, not a Muslim. Najaat (salvation) in the Akhirat is attainable through only belief in Muhammadur Rasulullah (sallallahu alayhi wasallam) being the last and final Nabi of Allah, and that Islam as revealed to Rasulullah (sallallahu alayhi wasallam) has abrogated all former religions and revelations.
- Q. What is the Shariat's teaching regarding punishment in the grave?
- A. Punishment as well as reward in the grave (i.e. in Barzakh which is the phase of life following death) are both spiritual and physical. At times in the realm of Barzakh punishment and reward are meted out to only the ruh (soul), and at times the ruh is restored to the body. When this takes place, the punishment or reward is to the body and soul. This is the belief of the Ahle Sunnah--the followers of the Sunnat of Rasulullah (sallallahu alayhi wasallam).
- Q. A Muslim married in court a Hindu woman. He claims to be a Muslim while the wife says that she is a Hindu. He sometimes--perhaps on Friday and on Eid days-- visits the Mosque and sometimes attends the Hindu temple and worships according to the Hindu custom. What is the status of this man according to Islamic law?
- A. The status of a murtad. This man is not a Muslim inspite of his claims. It is essential that those in charge of the Musjid debar him from entry into the Musjid.
- Q. A Muslim teacher at our high school detests the Islamic salutation, viz., "Assalamu alaikum" and has ordered pupils to greet him in western style. He describes the Islamic greeting as nonsense, etc. What is his position in the Shariat?
- A. The teacher concerned is not a Muslim, but a murtad, if what you are saying is correct. If so, parents should agitate for the removal of the murtad element from his post because irtidād (becoming a renegade) is a disease extremely contagious.
- Q. A person made a gift of a car to his brother's son. When presenting the gift, he stipulated that he retains the right to use the vehicle occasionally. The nephew accepted this condition and took possession of the car. The uncle has not been able to make use of the vehicle as the nephew always has some excuse or some work with the car. The uncle now demands the return of the vehicle in view of the fact that his nephew failed in upholding the condition agreed upon. Does the Shariat permit the uncle to repossess the car?
- A. The condition stipulated by the uncle is not valid regardless of the acceptance by the nephew. According to the Shariat a gift attendant with an invalid (fasid) condition, is valid. In this case, therefore, the gift is valid and repossession of the car by the uncle is unlawful.
- Q. I am contemplating to invest some money in a property. The terms of the investment will be as follows:
- (a) Mr X wishes to purchase a certain property but is in need of R20 000 which is the amount short in paying the full purchase price of R60 000. I will, Insha' Allah, provide the R20 000 which will be my investment.
- (b) In return for my investment, Mr X will give me a fixed sum of R200 per month from the rental he will be receiving for the property purchased.
- (c) The day Mr X is by the means, he will pay me out, i.e. he will return my R20 000 and my investment will be cancelled.
- The above conditions are acceptable to both of us. Please advise us of the Shariat's viewpoint on this agreement of ours.
- A. The agreement between you (as explained in the question) is not lawful. It is a ribaa contract. In the sense of the Shariat your advance of R20 000 is not an investment, but is a loan and the return of R200 per month (regardless from which source Mr X pays you) is not profit, but is ribaa. It is, therefore haraam for you to enter into this ribaa contract and it is haraam for Mr X as well. The transaction can be Islamically rectified in the following manner:
- (a) The purchase price of the property is R60 000. In advancing the R20 000 you are purchasing one-third of the property. You will thus become owner of one-third of the property.
- (b) You will then be entitled to one-third of the nett income of the property.
- (c) Mr X will not enjoy the unilateral right of paying you out when he is by the means or when he so wishes. You will have the full Islamic right to sell your share or to refuse selling it.
- Q. A man during his life-time gifted his entire estate to one of his sons. All the other children were deprived. A few months after making the gift, the man died. What is the position of his heirs? Do they inherit in his estate which he had already awarded to his one son?
- A. The validity of the gift will rest on the following conditions:
- (a) The gift was not made during the deceased's maradhul maut (the state of illness in which the man died).
- (b) After having made the gift all rights and obligations pertaining to the property or estate were assigned to the son. In other words, the son was made the real and actual owner of the estate.
- If these conditions were fulfilled, then the gift (hibah) will be correct and valid. The son will then be the sole owner and the estate will not be the estate of the deceased father. None of the heirs of the deceased will inherit in the estate since at the time of death of the father the estate was not in his ownership. However, it should be well remembered that any person who deprives his Shar'i heirs in this manner without any valid Shar'i reason is guilty of a grave crime for which the calamity in the Akhirat is disastrous. In this regard Rasulullah (sallallahu alayhi wasallam) said: "He who severs (robs, deprives, usurps) the inheritance of an heir, Allah will sever his inheritance from Jannat."
- Q. A man died and left the following relatives: mother, sister, two sons, two daughters, wife, and a son of his son who had died while he (this man) was living. How will his estate be distributed Islamically?
- A. After payment of funeral expenses and debts, the distribution will be as follows:
Mother 4/24 of the estate
Wife 3/24 of the estate
The balance of 17/24 of the estate will be divided into six equal shares. Of these six shares, each

(continued on page 5)

of Ilm, we, the Muqallideen of the Aimmah-e-Mujtahideen are faithful to the teaching of our institution, Darul Uloom Deoband. We have been taught by Darul Uloom Deoband that no matter whose verdict it may be, if it contradicts the Shariat . . . if it is not based on the Principles of the Shariat formulated by the Aimmah-e-Mujtahideen, then we shall not accept it. It is Darul Uloom Deoband which has taught us adherence to the Haqq, rejection of compromise between kufr and bātil, between ilhād and bidah. Thus any fatwa coming from Deoband or anywhere else will be rejected by us if such fatwa does not accord with the Dalāil of the Shariat. And, in not subscribing to such fatwa our Muftis of Darul Uloom Deoband will uphold us. The MJC may cite the practice of the twentieth century Muslim world in substantiation of its whim and opinion, thereby falling within the Quranic condemnation:

"They take their rabbis and their monks as gods besides Allah."

We are made of a different mettle. If our Ulama err--as the venerable Mufti Nizamuddin Saheb has clearly erred in his fatwa--we do not proffer submission to such error. Our allegiance is to the Shariat of Allah Ta'ala. We have been, Alhamdulillah, thoroughly schooled by our Fountain of Knowledge, Darul Uloom Deoband, to understand and argue on the Basis of the Shariat. We are, therefore, by the Fadhl of Allah Ta'ala fully competent to distinguish between right and left, between Haqq and bātil--a Shariat in which the MJC is grossly incompetent. The MJC suffers from the disease of oblique vision due to the impact of modernity on its thinking. It therefore, invariably, examines Shar'i matters through

a vision contaminated with modernity.

Erring in a fatwa is nothing new nor is it surprising. The only persons immune from erring were the Ambiyā alayhimus salām). No Alim of the Deen, no Faqih, no Mufasssir, no Muhaddith and no Wali has ever laid claim to infallibility. The Aimmah-e-Mujtahideen are famous for their retractions. It is reasonable to understand that the greatest of Ulama are subject to error. A famous adage of the Arabs say:

"Every good horse too falters, and every Alim makes a slip." Arabic 14

But, it is most dangerous and destructive to Imān for others to cite such errors of the great Ulama in substantiation of their whimsical opinions. In this regard, Thahbi (rahmatullah alayhi) mentions in Tadhkaratul Huffāz the following statement of Imām Auzāi (rahmatullah alayhi):

"He who takes on to the rarities (i.e. the rare errors) of the Ulama has made his exit from Islām." Arabic 15.

Let the MJC and all those who have been plunged into the darkness of doubt and uncertainty by the MJC's statement understand now that we accept Mufti Nizamuddin Saheb as a fully qualified and venerable Mufti but we dissociate from the fatwa because of it being manifestly erroneous. The attempt of the MJC to make capital out of the fatwa and utilize it childishly against the Jamiatul Ulama Natal, is most despicable and unbecoming of a body which has styled itself as Muslim

Judicial Council. Has the MJC in the past ever given any prominence to the Fatāwa of Deoband against music, pictures of animate objects, shaving the beard, bid'ah, and all such things which the MJC believes to be permissible, but which are rejected by Darul Uloom Deoband? Citing the Deoband fatwa will not assist the MJC in its opinion and its bid to legalize machine-slaughtering. The Ulama of the country, besides the MJC, unanimously proclaim that the animals slaughtered by the automatic machine are haraam--maitah--carrion. No Muslim conscious of his Imān and the Akhirat will ever devour and relish the carrion being offered for sale under the "halaal" certification of the MJC which is incapable of understanding the difference between halaal and haraam because of its divergence from Shar'i Dalāil. If the MJC wishes to gain any respectability as a body of Ulama then it should learn to confine itself to the Proofs of the Shariat and desist from a mode of argument calculated to be acceptable to the emotional reasoning of those not qualified in Shar'i Uloom.

Let us remind the MJC that in the self-same fatwa, Mufti Nizamuddin brands the machine-slaughtering as sinful--not permissible--although the animals thus slaughtered are erroneously stated by the Mufti Saheb to be halaal. Does the MJC believe that machine-slaughtering is sinful? Does the MJC subscribe to the venerable Mufti's view that the method of machine-slaughtering is not permissible? Let the MJC be honest and courageous to reply! In his fatwa, Mufti Nizamuddin Saheb states:

"... though this method or action not complying with the Sunnah, is Makruh."

The one who translated the fatwa inserts in brackets after the word Makruh, "undesirable". But, this word (undesirable) is not an adequate translation of the Shar'i term, Makruh. Mufti Nizamuddin Saheb is a Hanafi and according to the Ahnāf the word Makruh in the context in which Mufti Saheb has used it, refers to Makruh Tahrimi which means an act which is NOT PERMISSIBLE--an act in close proximity to an act described as haraam. In case the MJC seeks to exploit the term "makruh" thereby confusing the public, we shall elaborate the term.

In Fiqh according to the Hanafi Math-hab there are two types of Makrūh, viz. Makrūh Tanzihi and Makrūh Tahrimi. These are technical terms of Fiqh and are, therefore not subject to MJC interpretation and misinterpretation. Similarly, the term Haraam in Hanafi Fiqh is of technical import signifying an act prohibited on the basis of a category of proof described as Dalāil Qat'i (the definition of which we will not go into here for the sake of brevity.) One who denies the validity of a haraam act is branded by the Shariat as a kāfir. In other words, one who says that an act which the Shariat designates as haraam is not haraam, is a kāfir, and the one who whilst accepting that the act is haraam perpetrates it, is not a kāfir, but is a fāsiq. On the other hand, an act designated by the Shariat as Makruh Tahrimi is an act whose Shar'i status (i.e. of Tahreem) is based on proof of a lesser category than Dalāil Qat'i. Such proof of a lesser class is called Dalāil Zanni which is also a technical term. The hukm (order) of the Shariat regarding the one who rejects the status of an act being Makruh Tahrimi is that such a person is a fāsiq. The perpetrator of a Makrūh Tahrimi is likewise described as a fāsiq by the Shariat.

From the foregoing explanation, it will be clear that both haraam and makrūh tahrimi acts are unlawful in Islām. Both categories are illegal and the perpetrators of acts of both these categories are branded by the Shariat as fassāq--shameless and flagrant violators of Allah's sacred Law. The term, "undesirable", therefore, is a gross understatement and erroneous interpretation of the technical term, Makrūh. It should now be manifest to the MJC that even according to Mufti Nizamuddin Saheb, machine-slaughtering is NOT PERMISSIBLE in Islam.

(See centre pages)

right of cancelling the sub-lease and holding the first tenant liable for suitable compensation of rent which is termed in the Shariat, ajrul mithl, i.e. an amount which could be normally obtained as rental for the premises. However, if the amount of rental was specified in the fāsīd contract, then the ajrul mithl will not exceed the specified amount although it could be less.

The foregoing is by no means an exhaustive account of leasing rules in the Shariat. A brief sketch and guideline has been presented.

BE NOT DECEIVED

O my friend! Be not deceived by pleasures. For life is passing by and pleasures too are departing.

When you bear the janāzah towards the qabrastān. Then know that soon hereafter will you too be borne.

LEASING IN SHARIAT

The Shariat of Islam has left no act of man's life untouched. All spheres of a Muslim's life fall within the scope of the Shariat which has enacted laws to regulate the multi-faceted life of the Mu'min. One such aspect which this article proposes to discuss is hiring of fixed property. The vast majority of Muslims hiring property are ignorant of the Shariat's requirements in this regard and consequently they subscribe to the lease-clauses formulated by the kuffār. They believe that the stipulations of a lease patterned along kuffār lines are binding and valid though such clauses inserted in leases may be in conflict with the Shariat.

The lessor (the one who gives on hire or lets) and the lessee (the tenant) should take note of the following requirements of the Shariat and rectify their lease-agreements accordingly. According to the Shariat:

- The premises which is let must be specified. There should be no ambiguity.
- The rental must be specified.

• The Period of the Lease

- (i) The contract in which a period or time is stipulated is valid regardless of the length of the period. Thus a lease of a number of years may be contracted.
- (ii) Letting on a monthly basis. If the premises is let for a monthly rental without the period being specified, the lease will be valid in only one month. Where the tenant occupies the premises on a monthly basis, the lessor has the right to cancel the lease on the first day of the new month and demand the eviction of the tenant. If, however, the lessor allowed one full day to lapse (i.e. the first day) without notifying the tenant of cancellation of the contract, he (lessor) will not have the right to eject the tenant until the first day of the following month providing that on the first day of the following month he (lessor) cancels the contract and notifies the lessee.

• Time of payment of rent

The time or date when rent should be paid should preferably be specified. If this was not specified, the lessor will be entitled to collect the rent for each day.

• Sub-letting

The tenant has the right to sub-let the premises for a rental equal to or lower than what he is paying. If he sub-lets for a higher rental, he will not be entitled to the excess nor will the lessor be able to claim the excess. The excess will fall in the Wājibut Tasadduq category and will, therefore have to be given to the poor if its return to the owner of the money is not possible.

In sub-letting, the tenant does not require the consent of the lessor. In fact, the lessor will not have the right to debar him sub-letting. However, the sub-tenant will not enjoy greater privilege than the original or first tenant. Hence, if tenant No. 1 is on a monthly basis, tenant No. 2 will occupy the premises on the same basis. Tenant No. 1 who is on a monthly basis will not have the right to let the premises for a longer period.

The lessor is not entitled to cancel the lessee's right of sub-letting, hence should he stipulate that the lessee cannot sub-let, such stipulation will not be valid.

• Purpose for which premises let

The activity which will be carried out in the premises should preferably be specified. If specified, the tenant will be bound by such specification. If not specified, normal activity will be valid.

• Cancellation of Lease

- (i) Death of any of the contracting partners (lessor and lessee) will invalidate the lease if such partners contracted on their own behalf. Death of an agent (wakeel) will not invalidate the lease-agreement. Upon death, the rights of heirs come into force, hence the lease-contract becomes void.
- (ii) Circumstances beyond control cancel the lease. For example:
Lack of finance to operate the business.
Permanent indisposition.
Lack of customers due to the populace having shifted.
A tradesman or professional discontinuing his trade or profession.
Migration.
Every act or circumstance which results in loss or destruction of one's wealth is considered valid cause for cancellation of the lease.
- (iii) If section of the building collapses, the tenant is entitled to cancel the lease, but such cancellation will be lawful only in the presence of the lessor. If the whole building collapses, the tenant has the right to unilaterally cancel the lease--i.e. even if the lessor is not present.

• Repair to the building

Keeping the building in good repair is the responsibility of the owner of the building. If the owner refuses to repair, he cannot be compelled to do so. However, in this event the tenant has the right to cancel the lease and vacate the premises. If the tenant renders the repair without the authorisation of the owner, such work will be considered to be ihsān (favour), hence, the tenant will not have the right to deduct the cost of the repair from the rental.

• Fāsīd lease-agreements

Fāsīd in terms of the Shariat will mean corrupted or defected. A contract will be regarded as fāsīd if an Islamically illegal condition is stipulated. Such stipulation will bring about fasād (corruption) in the contract. The Shariat commands that a fāsīd contract be nullified. It is wājib (compulsory) to cancel and render void a fāsīd contract. Fāsīd contracts are in the category of ribā.

A lease agreement will be rendered fāsīd if the rental is not specified in unambiguous terms. If there remain any ambiguity in the rental, the contract will be fāsīd. A clause in the lease allowing for the rental to be reviewed or increased will render the contract bātil (null and void) and not fāsīd, since "specified rental" is a fundamental constituent (rukn) for the validity of the lease-agreement. A clause stipulating that the tenant will have to pay, in addition to the rent, a share of the rates of the property, will render the contract fāsīd. Imposing the repairing of the property on the tenant as a condition in the contract will render the lease fāsīd.

As stated earlier, it is incumbent upon the parties to nullify a fāsīd contract. Furthermore, a fāsīd lease contract cancels the tenant's right to sub-let. If a tenant occupies a premises by virtue of a fāsīd lease agreement and then sub-lets the premises, the lessor has the

Questions and Answers (Continued from Page 3)

- Q. I wish to distribute my wealth (movable and immovable) among my children during my lifetime. Should I adopt the same rule which comes into force in one's estate after death? Can I give double the amount to a son as compared to a daughter?**
- A.** It is best to distribute equally to one's children during one's lifetime. The rules of Miraath (Inheritance) do not apply to the distribution executed in one's lifetime. However, slight differences in the distribution during one's lifetime is of no significance. If, on the other hand, the inequality in the distribution is motivated by a desire to deprive any particular child then such inequality in distribution will not be permissible.
- Q. Is it permissible to demand payment from one's worker for goods which he broke or damaged during the course of his work?**
- A.** The property of the employer is amānat (trust) in the custody of the employee. If the destruction was not wilful, it will not be permissible to demand payment from the employee.
- Q. It is our custom every year to present a gift in the form of cash to our Hafez Saheb who performs the Taraaweeh at our Moque. The presentation of the gift is made on the 27th Night of Ramadhān, the night in which the Qur'an is completed. Some people have lately started to object against this presentation. What is the ruling of the Shariat on this custom?**
- A.** The custom of paying the Huffāz for reciting the Qur'an Shareef in Tarāweeh is not lawful in the Shariat. Such customary presentation, besides being a bid'at, is payment for tilāwat of the Qur'an Shareef. Making and accepting such payment are haraam. It is incumbent to discontinue the custom. If a Hāfiz who will recite without any remuneration is not available, then perform the Tarāweeh from Alam Tara Kaifa. It is superior to do this than to engage a Hāfiz who sells the āyāt of the glorious Qur'an for a miserable price.
- Q. Certain Ulama in our city are of the opinion that there is no such person as Imām Mehdi (alayhis salām). They claim that the stories about Imam Mehdi are not based on authentic hadith. Please explain.**
- A.** Those who deny the Shar'i version of Imām Mehdi (alayhis salām) are not among the Ulama-e-Haqq. They are men of dhalāl. . . they are astray and lead others astray as well. Their denial of this emphatic teaching of the Deen amply demonstrates the shallowness of their learning. They have no understanding of Hadith and the Qur'an, hence they can afford to be so brazen as to refuse something which in the Deen is indisputable. Insha' Allah, in a future issue of "The Majlis" the question of Imām Mehdi (alayhis salām) will be explained in detail.
- Q. If one has to pay interest on something can one use interest received to pay the interest?**
- A.** Both paying and taking interest are haraam. One should firstly not enter into any interest contract or agreement. Thus purchasing property by means of taking a bond is not permissible. Similarly, opening a fixed deposit savings account is not permissible. If one has fallen into the error of having opened a savings account, the matter should be rectified by closing the account. While it is not permissible to utilize interest for one's personal purposes, it is not permissible to leave the interest unclaimed in the bank. Such interest should be withdrawn and given to the poor without a niyyat of thawāb. If one has already committed the capital crime of contracting credit on which one has to pay interest then it will be permissible to offset this haraam interest with the haraam interest which one receives from the haraam savings account opened in a ribaa bank. But, it must be clearly understood that this is no licence for indulging in interest in order to pay interest levied on one. The permission which we mention here is applicable to only such instances where the haraam has already been committed. Steps should be taken to rectify the haraam. Such rectification means taubah and closing or ending the ribaa transactions. And, Allah knows best.
- Q. I go to the Musjid to ready by namaaz. After the salaam the Imaam lifts his hands and keeps quiet. He then says "Ameen" after a while, ending the dua. One brother who happens to be a convert asked me the reason for the Imaam's silence. He asks: "How will I learn to read the dua if it is not read aloud?" The Imaam said that everyone should read his own dua. I then asked him about the convert and people who are not educated, but the Imaam persists with this silent dua. Please answer.**
- A.** How does the convert and the uneducated people learn to recite Dua Qunoot, the recitation of which in Witr Salaat is Wājib (compulsory)? The Qunoot is recited silently. How did the convert and the uneducated people learn to recite At-tahiyāt which

is Wājib in Salaat? how did the convert and the uneducated people learn to recite Thana, Tasbeeh of Ruku, Tasbeeh of Sajdah, Durude Ibra-him--all important and essential Sunan of the Salaat? And did the convert and the uneducated people learn their various Surahs (which they have to recite in the Salaat) from an Imaam reciting such Surahs audibly in Salaat? Brother, these things are of greater importance than the dua which is recited after Salaat. But these things are recited silently yet you lodge no objection against the Imaam's silent recital of the Qunoot (during Ramadhan), Tashahhud, etc., nor does the convert voice any objection when the Imaam recites these things silently. Why then direct your objection ONLY against the silent dua after Salaat? If the convert is so anxious to learn Arabic duas then why does he not adopt the same method as he employed in learning the Farāidh, Wājibāt, Sunan, etc. of Salaat? Why do you and the convert not lodge any objection against the Imaam when he recites the Qiraat silently in Zuhri and Asr Salaat? Why don't you object when the Imaam recites the Tasbeehs after Salaat silently? Do you realise that your objection is directed against Rasulullah (sallallahu alayhi wasallam), against the noble Sahaabah and against the great authorities of the Deen? Silent dua after Salaat was the standard practice--the Sunnat--of all these great personalities of Islam, yet you feel free to denigrate the Imaam for adhering to the practice of Rasulullah (sallallahu alayhi wasallam).

Q. If one wins a defence bond prize or a lottery prize, can this money be used?

A. Defence bond prizes are ribaa and money and lottery prizes are maisar (gambling) money. Both forms of prizes are haraam. Such money has compulsorily to be given to the poor without forming a niyyat of thawāb.

Tasmiah

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"On the basis of the Math-hab of our Ashāb (viz., Shawāfi) omission of Tasmiah is Makrūh. And, it has been said that it is not Makrūh, but the Saheeh (correct) version is that of karāhah (being Makrūh)"

The essentiality of the Tasmiah is further borne out by the following verdict of Imām Nawawi (rahmatullah alayhi):

وقد اجمع المسلمون على ان يسموا الارسل على الصيد عند الذبح والنحر

"Verily, Muslims have enacted Ijmā on the Tasmiah at the time of irsāl (letting loose the trained hunting animal) on game, at the time of thabah and nahr." (Sharhul Muslim)

Omission of Tasmiah is a subject of technical import which has necessarily to be confined to academic discussion in academic circles. It cannot be utilized for bolstering an un-Islamic anti-Sunnah practice--haraam practice--like machine-slaughtering. The Ijmā of the Ummat on the question of reciting Tasmiah when slaughtering, reported by Imām Nawawi (rahmatullah alayhi), notwithstanding the technical discussion of whether its recitation is Sunnat or Wājib, is ample evidence to negate the MJC claim that invoking the Name of Allah at the time of thabah is "not essential".

Durood Too

According to the Shāfi Math-hab, not only recital of the Tasmiah, but reciting of Durood Shareef is also of the greatest of importance at the time of thabah. Imām Shāfi's insistence on reciting Durood Shareef too when slaughtering further establishes the essentiality he accords Allah's Name at the time of thabah. In this regard, Imām Nawawi (rahmatullah alayhi) states in his Minhajut Tālibeen:

ويوجه القبلية ذبيحة وان يقول بسم الله
ويصلي على النبي صلى الله عليه وسلم

"... And the animal should be turned in the direction of the Qiblah; the slaughterer shall say, Bismillāhi, and he should recite Durood on Nabi (sallallahu alayhi wasallam)."

Imām Rabe' Bin Sulaimān (rahmatullah alayhi) says:

والشافعي يقول يصلي على النبي صلى الله عليه وسلم مع التسمية على الذبيحة

"And, Imām Shāfi says: Recite Durood on Nabi (sallallahu alayhi wasallam) together with the Tasmiah on the thabehah."

Let the MJC now study well the following statement of Imām Shāfi (rahmatullah alayhi) regarding the importance of reciting Durood when slaughtering according to the Shāfi Math-hab. If the MJC views the issue in proper perspective--with a clear mind and on the basis of the Shariat, it will not fail to discern that its statement about the Name of Allah being "not essential" when slaughtering, is indeed a great notriety. Imām Shāfi (rahmatullah alayhi) says in Kitābul Umm:

of the fear of being fined people refrain from violation of law. When fear is effaced, anarchy is the consequence in the land. Khauf severs the roots of all evil while at the same time it is the medium of all obedience.

The manner in which to acquire the khauf of Allah Ta'ala is to meditate on his Wrath and Athāb.

Extracts from The Manifesto

(continued from page 1)

Conclusion

This is our manifesto to the nation and our programmes put before the people in order for them to recognise from it who we are and what we want, without being influenced by the claims and lies of the enemies. We are certain that what we are calling our nation to accept agrees with the demands of all Muslims and non-Muslims alike, because what we are offering is the pure goodness, the frank truth and the perfect justice. The following dialogue is directed to our people:

After a long period of deception, the masks have at last fallen off and the rot exposed. Therefore we invite you, our people, to identify with your own way, to be what you really are. . . in short, to come back to your religion.

Some people have told you that we want to accomplish Arab unity for you according to the way they understand the meaning of nationalism, devoid of inner meaning. You witnessed the result of this attempt non-ending disintegration at a national level and patching and borrowing in its social, political, economical and cultural content. As for us, we invite you to the real Arab nationalism which is based on the oneness of the language, and which is free from the myth of superiority of peoples and races. It was Allah's doing that He protected the place of origin of the Islamic message from all types of tyrants, Pharaohs and Caesars and the result was that the Arabs were never subjugated or enslaved by any of those tyrants. This nominated them to become the carriers of the religion of Allah, and for their language to be the language of revelation of the book of Allah. Furthermore, since every Muslim is supposed to learn the book of Allah, this means that the Arabic language would gradually spread throughout the world and consequently Arabic would always go together with Islam.

Allah linked the honour of the Arabs with Islam, and made them responsible for carrying and introducing it to the rest of the world. Allah said:

The (Qur'an) is indeed the Message for thee and for thy people, and soon shall ye (all) be brought to account.

(Qur'an 43:44)

People also told you that we want to establish socialism which will bring you prosperity. But our people, you know better what happened. The so-called socialism exposed the thieves hiding behind it. Those thieves robbed the people, hoarded the wealth of the country and left their crumbs for the mercenaries and slaves. As for the deprived people, they know socialism to mean nothing but poverty and dictatorship.

As for us, we say to you that Allah decreed that the bounties of the earth must be like a table stretched for all the people to sit at. The people have the right to take from this table their needs until they are satisfied and this right is a firm right which is guaranteed by the laws of Islam, and Allah alone is the one to be thanked for it, and He alone can remind people of His generosity to them.

They also told you that we are going to grant you freedom. Their freedom was a disgrace for mankind and you can ask the grave dwellers, the prisoners, the tortured and the mutilated what this freedom did to them?!

Has the path become clear now! By our Lord, yes it has. Therefore, come to common terms, that we worship none but Allah; that we erect not, from among ourselves lords and partners other than Allah, and let us all stride towards the great target with determination and patience.

For the command of the Islamic Revolution in Syria:
Sa'aid Hawa Ali Baianoni Adnan Saaduddeen

واقدر خشيته أن يكون الشيطان أدخل على بعض أهل الجاهلية
النهي عن ذكر اسم رسول الله صلى الله عليه وسلم عند الذبيحة

"Verily, I fear that the shaitān will influence some juh-hālah (ignoramuses) and cause them to refrain from reciting the name of Rasulullah (sallallahu alayhi wasallam) at the occasion of the thabehah. . ."

Imām Shāfi brands non-recital of even Durood at the time of thabah as an act of shaitān. What then will be his opinion about those who have invented the falsehood of the non-essentiality of Allah's Name when slaughtering and moreover attributed such bātil to him?

The importance of the Tasmiah at the time of slaughtering is of such tremendous significance that even certain great Shāfi authorities were in disagreement with the view of the Shāfi Math-hab pertaining to rare cases of Tasmiah omission (case No. 2 listed above). In this regard Imām Ghazālī (rahmatullah alayhi) states in his Ihyā-ul Uloom:

(continued on page 12)

AUTOMATIC SLAUGHTERING NEGATED

Shaikhul Islam Zakariyya Ansári (a Sháfi authority) said:

"In thabah (Shar'i slaughter), intention has been decreed a condition. Thus, if a knife falls on throat of a goat or the goat rubs against it and is (automatically) slaughtered; or a trained hunting animal sets off itself (in pursuit of game) and then kills; or a person shoots an arrow not for the purpose of (shooting) game and an animal is killed, it is haraam."

Automatic slaughtering is thus negated by the Shariat. In the above examples, the Shariat does not attribute the slaughtering to a person qualified to do slaughtering in spite of a qualified person (Muslim or Kitábi) being the cause of the action.

A statement dated 18th Jamaadil Ulaa, 1401 (25th March, 1981), issued by the Muslim Judicial Council of Cape Town in support of its ruling that animals slaughtered automatically by a machine are halaal purports to answer the opposite Fatwá of the Jamiatul Ulama (Natal) which was issued on the basis of the Shariat. The opinion of the M.J.C. may seem to answer the Fatwá of the Jamiatul Ulama (Natal), but in reality the opinion of the MJC is not based on Shar'i grounds. We have chosen to examine this opinion of the MJC so that the darkness created by the MJC around the haraam-chicken issue could be dispelled and the Muslim public saved from the abomination (the físq) or consuming carrion (maitah)-- carrion which these processed chickens are in fact.

The MJC states in its statement:

"Recently a Fatwa was issued by the Jamiatul Ulama of Natal against the use of the slaughtering machine. The objection was mainly on the grounds that the machine cannot mention Allah's name when it slaughters."

The Jamiatul Ulama (Natal) in its Fatwá does not limit its conclusion on only or mainly the grounds of non-recital of the FARDH Tasmiah (Bismillahi Allahu Akbar). Clearly the MJC either has not understood what was written in the Jamiat's statement or it is deliberately side-stepping the other facts raised by the Jamiatul Ulama (Natal), in order to conceal its gross inability to argue academically on the basis of the Principles of Islamic Law. The insipidity of the MJC's statement portrays vividly its inability to formulate discussion on the basis of Shar'i Principles. Because of its incompetence in so far as the Law of Islam is concerned, the MJC generally tailors its opinions and statements to suit the whims of public consumption regardless of whether such statements accord with the Shariat or not. If the MJC or those in the MJC responsible for the statement care to read the Jamiat's Fatwá carefully, they will not then fail to recognize the fortuity of their statement. We shall now elaborate the Shar'i stand on the question of animals slaughtered by automatic machine.

Of vital importance in understanding the Shar'i ruling on this question is to establish who actually is doing the slaughtering (thabah). Is the machine doing the slaughtering or the operator of the machine? There is no difficulty in establishing who or what is doing the actual slaughtering of the animal. The operator of the machine merely presses a button and the machine comes into action. The assistant/s merely ushers the animal or bird into the slaughtering machine. Human action then ceases and the animal is automatically slaughtered by the power-operated machine. The only relationship which the human operator has with the process is to switch on the machine. The only relationship which the usher of the animal has is to steer the animal into the machine. Beyond this, they have no participation in the actual act of thabah. The act of thabah is effected SOLELY by the machine operating automatically, i.e. the actual cutting of the neck-vessels is done by only the machine. No reasonable person can deny this indisputable fact that the chickens are slaughtered by the machine and not by any human being. Hence,

in regard to the actual slaughtering it is conclusively proven that this is effected by the machine. We have now established that the slaughterer (the thábiḥ) in this case is the automatic machine and not the operator of the machine or the one who drives or ushers the bird into the machine.

About the thábiḥ (actual slaughterer), the Shariat decrees:

ومن شرطه ان يكون الذابح صاحب ملة التوحيد
اما اعتقدا كالمسلم او دعوى كالكتابي

"And, among its (Shar'i thabah's) conditions is that the thábiḥ be a person of the millat of tauhíd, either by faith like a Muslim or by claim like a Kitábi (Jew or Christian)."

(Hidáyah)

ومنها ان يكون مسلما او كتابيا

"Among its conditions is that the thábiḥ is a Muslim or a Kitábi."

(Raddul Mukhtár)

There is absolutely no difference of opinion on this issue. Unanimously--according to all Mathá--hib--has it been established that an absolute and obligatory condition for the validity of Shar'i thabah is that the act of thabah MUST be effected by a Muslim or Kitábi slaughterer (thábiḥ).

Elaborating further on this Fardh (compulsory) requirement, the Shariat states:

فمنها ان يكون عاقلا فلا توكل ذبيحة

المجنون والصبي الذي لا يعقل

"Among its conditions is that the thábiḥ be an understanding person. Hence, the slaughtered animal of an insane person and a child who does not understand will not be consumed."

(Raddul Mukhtár)

Elaborating on the unlawfulness of the animal slaughtered by an insane person, Raddul Mukhtár states:

لان المجنون لا قصد له ولا نية لان التسمية شرط

بالنص وهي بالقصد وصحة القصد بما ذكرنا يعني

قوله اذا كان يعقل التسمية والذبيحة ويضبط ولذا

قال في الجوهر لا توكل ذبيحة الصبي الذي لا يعقل

والمجنون والسكران الذي لا يعقل . شرنبلالية

"Because an insane person has no intention. And, the validity of intention (qasd) is with that which we have mentioned, viz., the author's statement: 'When he is able to understand the Tasmiah, realizes the animal and possesses the ability (to slaughter). It is for this reason that he says in Jauharah: 'The thabehah (slaughtered animal) of a child who does not understand, of an insane person and of an intoxicated person who does not understand will not be consumed.' (Shurambuláliyah)"

فان المجنون المستغرق لا قصد له

"Verily, an insane person has no intention (qasd)."

(Raddul Mukhtár)

ويحل اذا كان يعقل التسمية والذبيحة

"The slaughtered animal will be halaal if the thábiḥ understands the Tasmiah and the thabehah."

(Hidáyah)

اما اذا كان ولا يعقل التسمية والذبيحة لا تحل

"If he (the thábiḥ) does not understand the Tasmiah nor understands (perceives or realises) the thabehah, it (the animal so slaughtered) is not halaal."

(Hidáyah)

وشرط في الذبح قصد

"And, qasd (conscious intention) has been decreed a condition in thabah." (Minhájut Tálibeen of Imám Nawawi)

The afore-mentioned references indicate very clearly that according to the Shariat the thábiḥ (the actual slaughterer) must be, besides being a Muslim or a Kitábi, one who possesses understanding or intelligence so that he may discharge the condition of qasd (intention) and understand what act he is executing. He, himself, i.e. the actual slaughterer MUST understand that he is slaughtering; reciting the Tasmiah, and he must perceive the animal. In short, one of the essential requisites of valid and lawful Shar'i thabah (slaughtering) is consciousness of the slaughterer. The following facts will be clear from the references cited above:

- The thabah (slaughtering) of an insane person although Muslim reciting the Tasmiah at the time of thabah and severing the required four vessels, is not valid. An animal slaughtered by an insane Muslim will not be halaal notwithstanding the fact that he has slaughtered "correctly".
- If a child who is not of proper understanding effects thabah "correctly" by reciting Tasmiah and severing the four neck vessels, the animal will nevertheless be haraam.

لا توكل ذبيحة الصبي الذي لا يعقل

والمجنون والسكران الذي لا يعقل

FUNDAMENTAL REQUIREMEN

"THE ANIMAL SLAUGHTERED BY A CHILD WHO DOES NOT UNDERSTAND, BY AN INSANE PERSON AND BY AN INTOXICATED PERSON WHO DOES NOT UNDERSTAND, WILL NOT BE CONSUMED"

(Jauharah, Shurambuláliyah, Raddal Mukhtár)

The Shar'i emphasis on the essentiality of CONSCIOUSNESS, INTENTION and UNDERSTANDING of the slaughterer (thábiḥ) is now abundantly manifest.

It has already been established that the actual slaughterer in machine-slaughtering (the mode of automatic slaughtering effected by machines in South Africa) is the automatic power-driven machine, not the one who ushers the animals into the machine. In so far as the machine is concerned the essential Shar'i requirement for the validity of Shar'i thabaha, viz., consciousness is absolutely non-existent. The animals slaughtered unconsciously by the machine being haraam is, therefore readily comprehensible and indisputable on the basis of Shar'i proofs. When the Shariat brands as haraam animals slaughtered "correctly" by children and insane persons who happen to be members of Islám, then to a greater degree will the Shariat apply its ruling of haraam to animals slaughtered by an inanimate and an unconscious machine.

The reference cited above informs us that another compulsory condition for the validity of Shar'i thabah is that the slaughterer be a Muslim or a Kitábi, but the slaughterer in automatic machine slaughtering is not a human being. The slaughtering force in this case is an inanimate machine. Thus, in the absence of this condition too, the slaughtered animal of the machine is haraam.

The Shariat emphasises much the demand that slaughtering MUST be effected by a human being and that animals slaughtered by non-humans are haraam. It should not be assumed (as some supposedly learned people have done) that because of the non-existence of power-driven, electrically-operated slaughtering machines in the time of Rasullullah (sallallahu alayhi wasallam), the Shariat is silent or ambiguous on the slaughtering effected by such machines. The Shariat of Islam is the Law of Allah Ta'ala which brings within its ambit of its decree all and every exigency and development until the Day of Qiyámat. Declaring its emphasis on human-slaughtering in negation of machine or inanimate and unconscious slaughtering, the perfect and all-embracing Shariat of Muhammadur Rasullullah (sallallahu alayhi wasallam) says:

لان الشرط ان يجرحه انسان او يذبحه وبدون ذلك هو كالتجعة او المتردة

"The shart (i.e. a compulsory stipulation for the validity of Shar'i slaughtering) is that a human being wounds the animal (in case of thabah idhtirári) or slaughters it. Without this (human slaughtering) it (the animal) will be like an animal which has been gored to death or an animal which has fallen to its death."

(Raddul Mukhtár)

The slaughtering accompanied by all its Shar'i conditions (shurút) must be executed consciously and intentionally by direct action of a human being. And, by direct action, the Shariat means that the act of severing the required neck-vessels must be executed manually--the instrument (álah) of cutting to be wielded and directly manipulated by the hand of the thábiḥ (slaughterer). The actual act of cutting must be effected by the instrument operated by the power of the human hand and not by mechanical power or some other external force. The Shariat emphasises the condition of human power for the validity of thabah to such an extent that human power--man's personal act--is stipulated as a condition for the validity of even thabah idhtirári (viz., killing the animal by means of an arrow or sharp instrument in case of game or even domesticated animals which have gone wild and out of man's control). Thus Imám Shafi (rahmatulláh alayhi) states in Kitábul Umm, Vol. 2:

والذكوكة وجنات، ورجة فيا قدس عليه

الذي هو النحر، وفيما لم يقدر عليه

ما باله الا انسان بسلاح بيته

او رمي ببدنه فبهي على يده وما احل الله

عز وجل من الجوارح الملعونات

التي تأخذ بفعل الانسان كما

فاما المحقرة فانها

TS OF SHAR'I THABAH

CORRECTION

In "The Majlis", Vol. 4 No. 12, the following question and answer appeared:

Q. Is it proper for the Imaam to recite "Aameen" after Surah Faatihah in every rakat?

A. It is incorrect. The Imaam does not recite "Aameen". Only the Muqtadis recite "Aameen".

A brother wrote to us pointing out the incorrectness of our answer. We say Jazaakallah to our brother. Our answer is incorrect. The Imaam also says "Aameen", but silently, according to the Fatwá of the Hanafi Math-hab. It is according to Imám Málik (rahmatullah alayhi) that the Imám does not say "Aameen". Although it has been narrated that this was the view of Imám Abu Hanifah (rahmatullah alayhi) as well, the Fatwá (Verdict) of the Hanafi Math-hab is on the view of the Jamhūr Fuqahá of the Hanafi Math-hab, viz., the Imaam shall also recite "Aameen".

"Thakát (i.e. Shār'i thabah) is of two kinds. One kind pertains to animals over which man has control. In this class is thabah (actual slaughtering accompanied by all Shar'i conditions) and nahr (the special form of slaughtering) pertains to animals not in man's control. In this class (of thakát) the human being captures (or kills) an animal by means of a saláh (sharp weapon) with HIS HAND (bi-yadihi); or a human being with his HAND shoots the animal with an arrow. Hence, it (Shar'i Thakát or slaughter) is the ACT OF MAN'S HAND."

Imám Shāfi's repeated use of the phrase, "bi-yadihi" or "with his hand" indicates the Shar'i emphasis on human power--the power of the human hand actually driving the knife or instrument to bring about thabah. Therefore, a type of "slaughter which is not the direct consequence of the power of man's hand--a slaughter in which the required neck-vessels are severed by an instrument NOT driven by the power of a human hand, but by mechanical power or some other external force," will not be Shar'i thakát.

In defining Shar'i slaughter, Imám Shāfi (rahmatullah alayhi) stresses,

فبي يديه

"THUS IT IS THE ACT OF MAN'S HAND"

If human hand-power was not a stipulation for the validity of Shar'i thabah, then Imám Shāfi (rahmatullah alayhi) would not have defined such thabah as "the act of man's hand" nor would he have stressed that the weapon must be wielded by man's hand (سلاح بيدك); neither would he have said that the arrow must be shot with man's hand (رميه بيده). If the driving force of man's hand in effecting the thabah was not a Shar'i stipulation then it would have sufficed if Imám Shāfi (rahmatullah alayhi) had said: "with a weapon or with an arrow" (سلاح امرمه). There would then have been no need to condition the wielding of the weapon and the shooting of the arrow with "man's hand". The Shariat thus very clearly negates automatic slaughtering in which an inanimate machine NOT driven by human power, executes the act of slaughter.

Not Halaal

وكذلك لو مرت شاة أو صيد فاحتكت
سيف فأتى على مذبحها لم يحل أكلها -

Similarly, if a goat or game rubs against a sword (set up by man) and it (the sword) attains (cuts) its place of slaughter (throat), its eating is not halaal. (Kitābul Umm)

Thabah--not an automatic act

Automatic slaughtering has been invalidated by the Shariat in unambiguous terms. Stating the invalidity of automatic slaughtering, the authoritative and famous Book of Islamic Jurisprudence, Hidāyah states in Volume 4:

والذبح

لا يحصل بغير دالة أو آلة الاستعمال

وذلك فيهما بالاسم سأل فنزل

منزلة الرمي وأمور السكين

"Thabah (slaughtering) is not attained (i.e. not valid) by means of only the instrument, but (is valid) by means of isti'māl (employment). And, that (i.e. employment) in both (the hunting dog and the hunting falcon) is by

means of irsāl (intentionally despatching or setting loose the dog or falcon in pursuit of the game). Hence, the irsāl takes the place of shooting the arrow and driving the knife."

Here two terms of the utmost significance appear, viz., "isti'māl" and "imrārus sikkeen". Isti'māl means "to employ"; "to use" and "imrārus sikkeen" means "the driving of the knife" or "to drive the knife". This employment and driving of the knife must be affected by means of the human hand as appears elsewhere in the books of the Shariat, e.g. Kitābul Umm cited above. Besides the clear text of the Shar'i verdicts on this issue, the grammatical connotation of the term, "isti'māl" (الاستعمال) a member of the word-class, Istif'al renders

the translation of the term as: to seek use; to make use; to bring into action. The word-category to which "isti'māl" belongs negates automatic use or automatic action from its meaning. An instrument could be used manually--by man's direct force or it can operate automatically, without the direct force of man. If the instrument--the knife in our case--is driven by the force of man's hand, it will be described as "imrārus sikkeen" إمراض سكين, and the term "isti'māl" (الاستعمال) will apply. But if the instrument operates of its own accord - i.e. automatically - then it will not be described as imrārus-sikkeen nor will the word isti'māl be applicable to it. On the contrary, the phrase, bimujarradil ālah (بمجرد الآلة) which appears in the aforementioned quotation from Hidāyah will apply then to it. The meaning of the phrase is: "by means of only the instrument", in other words, automatic operation of the instrument or the operation of the instrument without human power or force. Hence, it is stated most explicitly:

والذبح لا يحصل بمجرد الآلة الا بالاستعمال

"Thabah (Shar'i slaughter) is not attained (not valid) by means of only the instrument, but by (it being) employed (or used)."

It is further clarified that the meaning of this "employment" or isti'māl is "to drive the knife":

إمراض سكين

In case someone attempts to fallaciously argue that by switching on the machine, man is employing or "using" it, thereby fulfilling the requirement of isti'māl, and hence imrārus sikkeen, we better exhibit the fallacy of such argument. Firstly, it will only be one not versed in Arabic who will resort to such a baseless argument. Secondly, only one ignorant of the clear-cut Shar'i meanings assigned to these terms, will argue thus. Thirdly, the statement of the Shariat, viz.

إمراض سكين

(Thabah is not attained by means of only the instrument) negates this argument. What does the Shariat mean by saying that slaughtering is not valid if the instrument is not used? The inference from this statement is clear. If the instrument is used, thabah is valid. If the instrument is not used, thabah is not valid. But, the question remains: If the instrument is not used, how could slaughtering be effected? In rejecting slaughter in which the knife is "not used", but operates of its own accord--automatically--the Shariat negates the assertion that isti'māl exists in automatic operation. In saying:

والذبح لا يحصل بمجرد الآلة الا بالاستعمال

i.e. slaughter by the instrument itself is not thabah, the Shariat accepts the fact that an instrument can slaughter or kill without the direct action of man, i.e. without the power of the human hand although such instrument is set-up or set into motion by man's operation or activity. In this case man's operation is confined to setting the instrument into motion and is not extended to the actual cutting of the neck-vessels. The Shariat has beautifully illustrated such automatic slaughtering for us to ensure that we remain in no doubt and to protect adherents of the Deen from being hoodwinked by "fatwas" of the nafs.

In the following citation appears an example of automatic slaughter--slaughtering achieved by the operation or activity of man, but not with the hand-power of man. Man's operation is merely confined to setting up the apparatus which executes the slaughter.

AUTOMATIC SLAUGHTER

Imám Nawawi (rahmatullah alayhi) says in Minhājut Tālibeen:

ولو كان بيده سكين فسقط وانجرح به صيدا ... لم يحل

"And, if a knife in the hand of a person drops and an animal (game) is wounded with it. . . it is not halaal."

The slaughter according to the Shariat is automatic here and is not attributed to the person from whose hand the knife fell. The wounding of the game is attributed by the Shariat to the inanimate knife which here is the actual inflicter of the wound like the automatic machine is the actual killer of the chickens.

فاما المحفرة فانها ليست واحدا من
ذالك فيجاسلح اوله يمكن

"Thus, a pit dug (to trap game) is none of the two kinds of thakát (Shar'i slaughter) whether a weapon (saláh--a sharp instrument, e.g. spear, sword, dagger) is fixed in the pit or not."

In this illustration a man sets up the apparatus to trap and wound/kill a wild animal. In the process his action is confined to the setting up of the apparatus and is not related to the actual wounding or killing. Since the animal was killed in the trap automatically and not by the power of the human hand, the Shariat proclaims the animal haraam and excludes this automatic form of killing from the definition of Shar'i thabah. On the contrary, if the man had killed the wild animal by directing the weapon to the animal with his own hands, then the animal would have been halaal. The Shariat gives as its reason for proclaiming this automatic killing haraam, the fact that human force was not utilized to kill the animal:

لان ان شرط ان يجرحه انسان أو يذبحه وبدون ذلك هو كالنطيحة أو المتردية

"The condition (shart) for the validity of Shar'i thakát is that the animal must be wounded by a human being or that a human being must slaughter it. Without this (human action), the animal will be like an animal gored to death or like an animal which was killed by falling." (Raddul Mukhtār)

Illustration (b)

أنه اذا وضع منجلا ليصيده جارا أو وحشا ثم وجد الجار ميتا لا يحل

لان الشرط ان يجرحه انسان أو يذبحه وبدون ذلك هو كالنطيحة أو المتردية

"A man sets up a spear (or any other instrument) for the purpose of hunting a zebra. After a while he finds the zebra dead (having been killed by the spear-trap). The zebra is not halaal" . . . because the condition (for the validity of Shar'i thakát which renders an animal halaal) is that a human being wounds it or slaughters it. Without this (human action) the animal will be like one gored to death or having fallen (from a height) to its death."

(Raddul Mukhtār)

In this example, no pit was dug. The apparatus of slaughter, viz., a spear was set up in a way which would wound or kill an animal passing by it. An animal was trapped in this spear-trap and killed. The Shariat brands the animal thus killed as haraam because the act of killing was NOT the effect of direct human force. If on the other hand the animal was killed by the spear driven

by the force of the man's hands, then it (the animal) would have been halaal. This illustration furnished by the Fuqahá also clearly negates the validity of automatic killing.

Illustration (c)

ولو ان رجلا نصب سيفا أو رمحا ثم اضطر صيدا
اليه فاصابه فذكاه لم يحل اكله لانها ذكاة
بغير قتل احد

"If a person sets up a sword or a spear (as a trap to kill game), then drives the game towards it (the sword or spear) and it reaches the sword/spear which slaughters it (the animal), its consumption is not halaal because the slaughter is without the killing of any person."

(Kitābul Umm)

In this illustration too, the apparatus of killing is set up by a human being but in the actual killing of the animal

(continued on page 8)

The Shariat and Machine Slaughtering

(continued from page 7)

the action of the instrument is exclusive. The human being's action in the process is confined to setting up or setting in motion the apparatus. Hence, the Shariat brands the automatically killed animal as haraam and furnishes as its grounds:

لأنها ذكاة بغير قتل احد

"BECAUSE ITS SLAUGHTERING IS WITHOUT THE KILLING OF ANY HUMAN."

In its statement, the MJC justifying its stand, states:

"The Muslim Judicial Council approves the use of the slaughtering machine because it meets with the requirements of the Shariat by cutting the required vessels, thus allowing blood to flow, and the Muslims operate the machine invoking the name of Allah at the starting point as well as at the point of slaughtering."

The operators of the machine and those who are present "at the point of slaughtering" are NOT the thābiheen (slaughterers), hence it does not matter if they recite the Tasmiah even a thousand times. The animal or chickens will still remain haraam carrion because the conditions for Shar'i thābih (a valid Shar'i slaughterer) and valid Shar'i Tasmiah are lacking. The Shariat does not stipulate for the validity of thabah, recital of Tasmiah by non-thābiheen. Those who are not the slaughterers do not fall within the strict and fardh requirements (Shurūt) applicable to Shar'i Thabah. Illustration (c), above, will demonstrate the fallacy of the MJC claim. In this example, the operator of the apparatus (no matter how primitive the method of automatic slaughtering is in this illustration) is a Muslim who recites the Tasmiah when setting up the apparatus which will bring about the death of the animal. He then ushers the animal towards the instrument which will kill. In other words, he operates his automatic-killing apparatus and drives the animal towards it. The animal is then killed automatically by the sword. The Shariat brands the animal as haraam since the cause of the killing is attributed by the Shariat to the apparatus and not to the man who operates the apparatus or the automatic machine. Automatic slaughter in terms of the Shariat is killing effected by any means without the direct force or power of the human being:

لان الشرط ان يجرحه انسان أو يذبحه وبدون ذلك هو كالنطيحة أو التردية

"The condition being that a human being must wound the animal or slaughter it. . ."
(Raddul Makhtār)

Killing which is not attributable directly to the force of man's hand, is thus automatic slaughter which is haraam in the Shariat. The MJC's claim, therefore, of operators of the machine and handlers of the animals reciting Tasmiah is absolutely of no substance. Such operation and handling are not related to the act of Shar'i thabah which is the ONLY act which renders the animal halaal.

The MJC's approval of machine-slaughtering is based on ONLY one fact, viz., "cutting the required vessels." But, this act executed by the inanimate machine is NOT sufficient for a valid Shar'i Thakāt. The compulsory condition which has to be fulfilled is the cutting of the required vessels by a thābih who is a Muslim or a Kitābi, NOT by a machine. The requirements of the Shariat are thus not met as is claimed by the MJC.

Illustration (d)

احتسكت به شاة وهو في يده فاقطع حلقومها
ومرئها واسترسل كب بنفسه فقتل لم يحل

"A goat brushed against the knife which is in the hand of a person. As a result, its gullet and wind-pipe are severed. The goat will not be halaal."

(Minhājūt Tālibeen of Imām Nawawi)

In this illustration, the animal is killed, not by the act of a human being, but by the goat brushing against the knife. The killing is thus executed automatically, and the Shariat proclaims it haraam despite the fact that the knife is held in the hand of a human being and the required vessels are severed. (According to the Shāfi Math-hab the vessels required to be compulsorily severed are the gullet and the wind-pipe, hence we have said, "required" here. However, according to the Hanafi Math-hab the required vessels to be severed are at least three.) The slaughtering although effected by a knife held in the hand of a Muslim, is nevertheless not valid according to the Shariat because such killing was not by the force of the human hand.

This example furnished by Imām Nawawi (rahmatullāh alayhi) also refutes strongly the MJC assertion that the mere "allowing of blood to flow" by the "cutting of the required vessels" renders the animal halaal. In illustration (c), above, the required vessels were cut, "thus allowing blood to flow", but in spite of this fact, the Shariat rules the animal haraam as is evident from

the reference of Minhājūt Tālibeen cited above.

It will now be realised from the above discussion that automatic slaughtering--killing executed by non-human force--is not valid Shar'i slaughtering. It forms no part of any of the two types of thakāt decreed by the Shariat. The MJC legalizing of haraam machine slaughtering cannot be substantiated on the basis of the Shariat. Such legalizing is the product of personal whim and opinion.

ALLAMAH MAHMOOD on Machine-Slaughtering

Hadhratul Allāmah Maulana Mufti Mahmood Sahib, Mufti and Shaikhul Hadith of Madrassah Qāsimul Uloom, Multan, Pakistan states about the automatic machine-slaughtering:

"After the explicit fatwa of the animal slaughtered by this (automatic) method being halaal, it is absolutely meaningless to merely say that this method is contrary to the Sunnat, Makruh, cruel or that the thābih's (slaughterer) act in slaughtering by this means is bad. Even if the one who presses the button be a Muslim and recites the Tasmiah at the time of pressing the button, then too the thābiheeh (slaughtered animal) of the machine will not be halaal. On the contrary, it will be carrion.

It is evident that the only act of the one who presses the button is the restoration of the electrical power which was disconnected from the machine when it was switched off. In pressing the button, the operator has merely removed the impediment مانع which restrained the activation of the machine. He merely removed رفع this impediment thereby permitting the action of the machine. In reality, the blade of the machine and the cutter of the neck of the animal are driven by electrical power and not the driving force of the hand of a Muslim. Thus, the slitting of the throat of the animal is the act of the electrically driven machine and not the act of a Muslim.

In thabah, it is a shart (a compulsory condition) that the direct act, i.e. the driving force of the hand, of the thābih be effective in rendering the slaughter. But in regard to the machine, the act of the one who presses the button is confined to removing the impediment رفع مانع. How then can the act of thabah by removal of the impediment رفع مانع be asserted to be the act of the remover رافع? How can the remover of the impediment be described as the thābih? The following example will clarify this more.

(1) A Majusi (fire-worshipper) with knife in hand is about to slaughter an animal. Another person grabs hold of his hand restraining him from executing the act of slaughtering. A Muslim, then, reciting, Bismillāhi Allāhū Akbar, releases the Majusi's hand from the restraining force (the grip of the one who was holding the Majusi's hand) and he (the Majusi) simultaneously executes the slaughter, slitting the throat of the animal. Will the animal be halaal?

In this example the act of removing the impediment رفع مانع was rendered by a Muslim reciting the Tasmiah, nevertheless, in view of the fact that the actual driving force in slaughtering the animal was the Majusi, the animal thus slaughtered is branded as haraam. The act of the remover of the impediment رافع has not been considered here.

(2) Similarly, a sharp instrument or knife is suspended by rope. An animal is positioned under it. A Muslim reciting the Tasmiah cuts the rope and the instrument by virtue of its impact when it strikes the animal slits the throat of the animal. Will the animal be halaal? Will the actual act of slaughtering be attributed to the Muslim who removed the impediment رفع مانع? Will he be described as the thābih and will it be said that the slaughtered animal is the thābiheeh of a Muslim?

Most assuredly, the animal in both these examples will not be halaal. How can it then be said that animals slaughtered by a machine are halaal? What is the difference between the animal slaughtered by the methods in the examples and by the machine?

Even if for a brief moment this reality be overlooked and it be accepted that pressing the button is an effective and voluntary act (in so far as the slaughtering is concerned), it should be well understood that the act of the button-presser (or the switch-operator) ceases upon him having pressed the button. His act is non-existent in the motion of the machine and at the time of the machine cutting the throat. The machine moves continuously while throats are being cut. The machine-operator ceases his action prior to the slaughtering.

The fundamental difference between Thabah Idhtirāri (pertaining to game and animals out of control) and Thabah Ikhtiyāri, the act of slaughtering is in fact, imrārus sikkeen (a Muslim driving the knife with his power), and in Thabah Idhtirāri, rami (the act of shooting the arrow)

and irsāl (the act of setting loose the trained hunting animal) are proclaimed by the Shariat to be the substitutes of thabah. Imam Shāfi (rahmatullah alayhi) also stipulates "human action" فعل الإنسان for the validity of Thabah Ikhtiyāri. In Kitābul Umm, page 198, Vol. 2, he states:

يصيب السهم، فاما المحفرة فانها

ليست واحدا من ذاك ان فيها سلاح

اولم يكن - ولوان سرجلا فمصيب

سينفا او سرجا ثم اضطر صيداً

فاصابه فزكاه لحرثي ككاه

لانها ذكاة بغير فعل ابد

(الإمام ص ١٩٨ ج ٢)

والذكوة وجبان، وجبه فيها قدس عليه

الذي هو النحر، وقيل له يقتدر عليه

ما ناله الا انسان بسلاح بيده

او صيده بيده فعمل على يد وما احل الله

عز وجل من الجوارح الملعونات

التي تأخذ بفعل الانسان كما

"Thakāt is of two kinds. (1) That in which man has control over the animal. This form is thabah and nahr. (2) That in which man has no control over the animal. This form is that man kills the animal by means of a weapon with his hand or he shoots an arrow with his hand. Thus it (Thakāt) is the act of the hand. And, that which Allah Azza Wa Jal has made halaal by means of trained hunting animals which catch (game) with the act of man فعل الإنسان is like the arrow

which strikes (with the act of man). But, a pit dug (to trap game) is none of the two kinds of thakāt whether there be a weapon in it or not. If a man sets up a sword or spear, then drives the game (towards the sword-trap) and the animal reaches it and is thus slaughtered, its consumption is not lawful because it is slaughtering without the act of anyone (any human being)."

In Thabah Idhtirāri (valid only in game and uncontrollable animals) the Shariat has condoned the cessation of the rami's (the one who shoots the arrow) act coinciding with the shooting, i.e. the archer's action in the process of the killing of the animal ceases upon the shooting of the arrow. Although the act of the archer does not perceptibly endure until the striking of the arrow إصابته، the Shariat has merely

because of the reason of idhtirār (helplessness induced by inability to exercise control over the animal) extended the act of the archer to the point of striking thus decreeing the archer as the thābih. In actual fact, the requirement of the Shariat (in this form of idhtirāri thabah) is only the act of rami (shooting the arrow). Once a qualified person (a Muslim or a Kitābi) shoots the arrow, the killing will be valid and such validity will not be affected if at the time when the arrow strikes the animal إصابته the archer has lost his qualifications. Imam Abu Bakr Al-Kasani states in Badāi'us Sanāi:

ولو رمى على اناس مسل وهو مسلم ثم

استد امكن حلا لا فاحرم

قبل الاصابه واخذ الصيد

يحل ولو كان مد تدا ثم اسلم

وستي لا يحل لان المحبوق وقت الرمي

والا لسان فتراعى الاهلية عند

ذلك

"If a Muslim shoots an arrow or lets loose a hunting animal then becomes a murtad (i.e. before the arrow strikes the animal and before the hunting animal catches the game), or one not in ihrām adopts ihrām before the arrow strikes or before the hunting animal seizes the game, it (the struck or caught animal) is halaal. On the otherhand if he (the archer or the hunter) was a murtad (at the time of shooting or letting loose the hunting animal) then became a Muslim (prior to the arrow striking or the hunting animal catching the game) and recites the Tasmiah (also prior) then it (the game) will not be halaal. This is so because the consideration (for the validity of the thabah) is at the time of shooting and letting loose. Thus, the qualification (of the archer or hunter) will be considered at the time of it (shooting or letting loose)."

In Thabah Idhtirāri, the Shariat has decreed the shooting and the letting loose to be on the level of driving the knife (i.e. a human being driving the knife) which is in actual fact the meaning of thabah. Hence, it is said in Hidāyah, page 487, Vol. 4:

ولان الكلب والبائري آلة والذبح

لا يحصل بمجي دالة لا بالاستعمال

MJC STYLE OF "ACCOMMODATION"

The Muslim Judicial Council of Cape Town in vindication of its opinion that machine-slaughtered animals are halaal, says in its statement:

"Whenever the Muslim Judicial Council of the Cape issues any religious verdict it takes into account the four popular schools of thought, and should one differ from the other/s, the Council does not condemn it (though the majority of the Muslims in South Africa follow the Shafa'i school of thought)."

The point at issue is not the number of people following which Math-hab nor does the dispute centre around the question of who is in the majority. If the majority of the Muslims of South Africa follow the Shafa'i school of thought, it has absolutely no relation to the matter under discussion. In no way does such majority assist the MJC in the trading of its un-Islamic and highly erroneous verdict. Let it be clearly understood that at no time have the Hanafi Ulama of this country disputed with the Sheikhs of the MJC because they purport to follow the Math-hab of Imám Sháfi (rahmatullah alayhi). At no time did the Hanafi Ulama attempt to impose the Hanafi Math-hab upon the Sheikhs of the MJC or upon the rank and file adherents of the Sháfi Math-hab. That has never been part of our mission since we are of the firm belief that the FOUR Mathá-hib constitute the Ahle Sunnah Wal Jámá and that in the world of today any math-hab beyond the limits of the Mathá-hib-e-Arba'ah is bátil. The MJC should therefore desist from peddling the idea that the Hanafi Ulama condemn the view of another authoritative Math-hab if such view conflicts with the Hanafi standpoint. This is the inference which any reasonable reader will draw from the above-quoted statement of the MJC. But, this inference is just as bátil as the MJC's bátil verdict regarding machine-slaughtering.

The MJC in its verdict is not acting in conformity with ANY Math-hab among the Four authoritative Mathá-hib. The Hanafi Ulama of this country never criticized the followers of Imám Sháfi (rahmatullah alayhi) for following the verdicts of the Sháfi Math-hab. What then are the motives of the MJC in citing in its statement on machine-slaughtering an unproven statistical fact? What has an issue which seeks the basis of Dalá'il-e-Arbah (Qur'án, Sunnah, Ijmá and Shar'i Qiyás) to do with the majority or minority of followers of any particular Math-hab. Besides this, the MJC in its liberalistic views influenced by modernity is more in alignment with modernist ghair-muqallideen than with the Taqleed which the Four Mathá-hib advocate so strictly. The MJC shall, therefore not be able to bamboozle thinking people by means of its innuendos and veiled motives.

The MJC says in its statement (cited above) that "it takes into account the four" Mathá-hib and elsewhere it says in its statement, "This way we are accommodating all schools of thought". What does the MJC know about "accommodating all four" Mathá-hib when it has no understanding of the Mathá-hib? How is it possible for the MJC to "accommodate all four" Mathá-hib when it has time and again demonstrated its callousness in not accommodating even the express commands of Rasulullah (sallallahu alayhi wasallam)? It has chosen as its manner to interpret away all the Sahih, Mutawátar and Mash'húr Ahádith of our Nabi (sallallahu alayhi wasallam) on many an issue--such issues on which there exists Ijmá (Islamic unanimity), not only among the Four Mathá-hib, but among all Mathá-hib of Haqq which existed in the early era of Islam. Thus, we find the MJC offering weak and dilapidated arguments based on personal opinion and dictates of the nafs to thwart and contradict the clear-cut, unambiguous and authoritative decrees of Rasulullah (sallallahu alayhi wa sallam) on a variety of evil practices such as music, pictures of animate objects, shaving the beard, bid'ah customs, gross and dastardly neglect of the Tasmiah when slaughtering, condoning the intermingling of the sexes, brutal torturing of animals (pitching being the MJC's best example of such haraam sanction), etc. How much did the MJC "accommodate" the four Mathá-hib and how sincere is the MJC in its pious pouting of "accommodation" when an array of Sheikhs and ulama of the MJC sat in a house viewing the banned kufr film, the Messenger? Is this the MJC conception of "accommodating all four schools of thought"? The MJC claim of "accommodation" is but a sham and a shame.

We unequivocally say to the MJC that you have no need to "accommodate" the followers of the other Mathá-hib. If you are a body of Sháfi Ulama then pass your verdicts on the basis of the Sháfi Math-hab and you will be respected and revered. But, your opinions are not the verdicts of the Sháfi Math-hab. Your taqleed of the Sháfi Math-hab is largely confined to practices such as rafa' yadain (raising the hands in Salát) and Ameen bil Jahr (reciting Ameen audibly in Salát). In most aspects, the MJC ignores the Sháfi Math-hab. Its claim of being Sháfi, is therefore, void. Even on this question of slaughtering, we stress that the MJC issue the verdict of the Sháfi Math-hab. Any statement which in actual fact is the verdict of the Sháfi Math-hab will

never be criticized by us since we too advocate that members of the Sháfi Math-hab adhere strictly to the Fatwa of the Sháfi Math-hab. But, the verdict of the MJC is NOT the verdict of the Sháfi Math-hab. The difference must be understood well.

MJC "PROOFS"

The MJC in its statement reveals its true status--its inability to discuss on the basis of Islamic principles of law-- by saying:

"Moreover, this method of slaughtering is 'approved and accepted throughout the Muslim world, even by Darul Uloom of Deoband. . ."

The MJC is supposed to be body of Ulama. But, it is indeed a dismal reflection on the calibre of the type of learned man who graces the MJC platform and blurts out such unintelligent statements (as the one quoted above). In making this statement, the MJC has aligned itself with the thinking of people unqualified in Islamic Ulúm (Knowledge). Men of Shar'i ulúm do not descend to such unacademic levels in substantiating their case. Only those bereft of Shar'i evidence or those wholly incapable of basing their case on Shar'i grounds will resort to a form of argument designed to capture the imagination of the masses--of those who have no understanding of the operation of the Dalá'il of the Shariat.

Since when is the prevailing practice in the Muslim lands of the twentieth century Shar'i Proof? By what stretch of Shar'i argument does the MJC cite the present practices--the corrupt and haraam practices--of Muslim lands seeped in kufr and anti-Sunnah activity as Shar'i evidence? Does the MJC not know the Sources of the Shariat? Does the MJC not know that the practices prevalent in Muslim lands in which prostitution, idol-making, music, liquor, injustice, and a host of other anti-Shariat activity are rife, are NOT proofs of the Shariat? This opinion of the MJC is viewed with contempt and does not require any respectable consideration. If the MJC wishes it to be regarded as a body of Ulama then it will have to pull the reins of the incompetent men responsible for the statement which appeared under the names of the MJC. Men of Shar'i ilm--qualified Ulama-- will be engulfed in shame if they even in error brought such disrepute to the status of the Ulama by uttering statements which could be overlooked if made by those not versed in Shar'i ulúm. If the MJC desires that its verdicts gain the recognition of Ulama, then it should educate itself in the Dalá'il of the Shariat and base its discussion and argument on the Four Sources of Islamic Law, viz. Qur'án, Sunnah, Ijma' and Qiyás. And, by Qiyás we do not mean the corrupt reasoning of the corrupt nafs of man. Qiyás in our context does not mean opinion and desire. By Qiyás we mean Qiyás-e-Shar'i--the Qiyás of the Deen accompanied by all its conditions.

The MJC's tendering of the approval of the practice of machine-slaughtering "through-out the Muslim world", as substantiation for its view, falls within the purview of the Qur'anic áyat:

"They (the Yahúd) have taken their ahbár (rabbis) and their ruhban (monks) as gods besides Alláh."

In accepting the erroneous and bátil practices prevalent "throughout the Muslim world" of the twentieth century, the MJC is "worshipping" them in a similar manner in which the Yahúd of previous times were worshipping their ahbár and ruhban. But, the irony of the situation is that the MJC in its statement issued in vindication of haraam machine-slaughtering cites the abovementioned áyat in a bid to secure its exculpation from the indictment delivered in the áyat. On the contrary, the Ulama of the Jamiat as well as all Ulama of the Haqq adhering to the ruling derived strictly on the basis of the Principles of the Shariat dissociate themselves from any fatwa contradicting the Shariat regardless of the quarter from whence such contradictory verdict emanates. Yet, the MJC subtly endeavours in its statement to inject the notion that the Ulama associated with the Jamiat are guilty of propounding halaal as haraam and vice versa whereas in actual fact the MJC has invariably been the worst offender in this aspect of violating the Shariat.

Conclusion:

In proclaiming machine-slaughtering to be permissible and animals slaughtered automatically, halaal, the MJC has furnished absolutely no Shar'i grounds. The MJC has legalized, in the name of the Shariat, machine-slaughtering on the following grounds of personal opinion; viz.,

- Mere cutting of the required vessels unattended with the conditions fixed by the Shariat for the fulfilment of this requirement.
- The automatic slaughtering by machine has been approved "throughout the Muslim world". Both these grounds are not Shar'i proofs and have, therefore, no validity in the sphere of Shar'i Fatwa.

In accordance with the proofs of the Shariat, Machine slaughtering or any other method of automatic slaughtering is not permissible in Islam. All animals slaughtered automatically are haraam and

are classified by the Shariat as "Maitah" (carrion--dead flesh). Eating, buying and selling such carrion are forbidden by the sacred law of Allah Ta'ala. All muslims conscious of their Imán are duti-bound to shun this method of slaughtering and to totally abstain from such carrion.

Allahmah Mahmood on Machine Slaughtering

(continued from page 8)

وذلك فيه بالاسلحة
منزلة المسمى بالسكين

"Because the trained dog and the trained falcon are the instrument (the knife by means of which thabab takes place). And, thabab is not acquired with only the instrument (بشيء داللة), but by means of isti'mál (استعمال)--a human being using the instrument. And, it (isti'mál) in both these (hunting dog and the falcon) is by means of irsál (letting loose--الارسال). Thus it (irsál) descends to the level of rami (shooting the arrow) and imrârus sikkeen (driving the knife.)"

There is absolutely no doubt in the fact that animals slaughtered by the automatic slaughtering machine are not slaughtered by the act of a human being nor does the power of man's hand operate in slitting the throat. It is precisely for this reason that even a person of the least understanding will not attribute the cutting of the throat to the act of man, but will say that it is an animal slaughtered by the machine.

Reward and Punishment

Hadhrat Imám Jaleel Jurambeel Yá'fi (rahmatullah alayhi) explains the belief of the Ahla Sunnah regarding punishment and reward in the grave, as follows:

"The Math-hab of the Ahle Sunnah is that the arwáh (souls) of the dead at times emerge from A'la Il-lyeen and Sijjeen and re-enter their bodies. This occurs when Allah Ta'ala so commands. Frequently this occurs during the night and the day of Juma' (Friday). They then engaged in mutual conversation. On such occasions reward or punishment is meted out to both body and soul. However, when the arwáh are in Il-lyeen and Sijjeen then reward and punishment are exclusively to the souls.

In the qabr, reward and punishment are meted out to both body and soul. On the night and during the day of Juma' punishment ceases. This is because of the Rahmat of Allah Ta'ala and the barkat of the day of Juma'. It is my opinion that the cessation of punishment on Fridays is only for the sinful Mu'mineen. In all probability such cessation is not for the kuffár because, firstly, the káfir (after death) will be everlastingly in atháb (punishment) and not the Mu'min. Secondly, the Mu'min has faith in the fadheelat (significance) and barkat (grace) of Juma' and not the káfir. And, Allah knows best.

The Proofs of the Shariat, e.g. the authentic ahádith and well-known narrations indicate that in the qabr, punishment and reward are to both the body and the soul, while reward and punishment to the ruh (soul) only is an event of Il-lyeen and Sijjeen respectively.

Reward and punishment being meted out sometimes to the soul and sometimes to both body and soul relate to the realm known as Alam-e-Barzakh. (The period after death and before Qiyámat). In Qiyámat, reward and punishment will be to the body and soul (and not separately as occurs in Barzakh). The entire Ummat of Islam has enacted Ijma' (Consensus) on this fact. Not a single Muslim denies this. But, the kuffár philosophers deny physical punishment and believe in only spiritual punishment.

Allah Ta'ala is pure from all defect and He has made us among the Ummat of Nabi (sallallahu alayhi wasallam) who is the one who will occupy the Platform of Mahmúd (in Qiyámat). It is through his agency that we have attained salvation from the bátil beliefs (of these kuffár philosophers). Peace and Durood of Allah be upon him, his noble progeny and his Companions."

AUTOMATIC SLAUGHTER IS NOT THABAH

والذبح لا يحكم بغير داللة

THABAH (SHAR'I SLAUGHTERING) IS NOT REALISED WITH ONLY THE INSTRUMENT (OR THE SLAUGHTERING MACHINE). (HIDAYAH)

الذبح شرعا انما يكون بغير داللة وهو الذبح باليد والذبح باليد هو الذبح باليد والذبح باليد هو الذبح باليد

Alah (instrument) according to the Shariat refers to an object (instrument) which has no power or motion of its own. Undoubtedly, a machine is an instrument, but its driving force is not the one who presses the button, but is electrical power.

(Hadhrat Allámah Mufti Mahmood, Shaikhul Hadith, Madrassah Qásimul Uloom, Multan, Pakistan).

TASMIAH.... ESSENTIAL OR "NOT ESSENTIAL"

Justifying its un-Islamic stand on machine-slaughtering the Muslim Judicial Council of Cape Town says in its statement:

"The third view is that of Imaam Shafa'i, who holds that the invoking of Allah's name is Sunnat (Non-obligatory) and is not essential because of the Hadeeth related by Saayidah Ayesha. . ."

This statement of the MJC seeks to minimize the extreme importance of the Tasmiah at the time of thabah (slaughtering). Further, the MJC renders Imám Sháfi (rahmatullah alayhi) a great disservice in attributing to him the falsehood that the Tasmiah at the time of slaughtering "is not essential". Insha'Allah, we shall conclusively show in this article the bátil of the MJC claim that according to Imám Sháfi (rahmatullah alayhi) reciting the Tasmiah when slaughtering is "not essential".

The MJC has all along been the advocate of gross neglect of the Tasmiah when slaughtering. Inspections by us of the various chicken-processing plants to which the MJC has issued halaal certificates, established that no significance whatsoever was attached to the Tasmiah at the time of slaughter. The MJC has and is at pains to convey to the Muslim public that reciting the Name of Allah Ta'ala at the time of thabah is not essential. It is for this very reason that the MJC in its statement translates the word Sunnat to mean "non-obligatory". And, in order to emphasise its claim of non-essentiality of the Name of Allah when slaughtering, the MJC accords the term, "non" in "Non-obligatory" a capital N. But, the meaning of Sunnat is not "Non-obligatory" nor is any Sunnat practice "not essential". No man of the Deen, no Alim of the Haqq will ever dare to be so crudely audacious to claim that a Sunnat of our beloved Nabi (sallallahu alayhi wa sallam) is "not essential". The essentiality of the Sunnat practices—even the "little" and so-called insignificant Sunnats of our Nabi (sallallahu alayhi wa sallam)—will be recognized on the Day of Qiyámat which, in the words of the Qur'an Shareef, will be:

"The Day when man will flee from his brother, his mother and his father; and, from his wife and children."

What is the MJC proof for claiming that according to Imám Sháfi (rahmatullah alayhi) the recital of Allah's Name when slaughtering is "not essential" and what is the MJC proof for claiming that Sunnat means "Non-obligatory"? In which sense has the MJC used the term Sunnat here? The MJC by qualifying Sunnat with the term "Non-obligatory" indicates that the term is presented in its technical sense, viz., the meaning it conveys in Fiqh. But, a practice which is technically described as Sunnat by the Fuqahá is not asserted by the Fuqaha to be "not essential". Branding the reciting of Allah's Name when slaughtering as being "not essential" reveals the total disregard which the MJC has for this extremely important and essential act of Ibádat. All Matháhib (including Imám Sháfi) unanimously proclaim the essentiality of the Tasmiah at the time of slaughter. Imám Sháfi (rahmatullah alayhi) in saying that the Tasmiah is Sunnat never said nor intended that the Name of Allah is "not essential" at the time of thabah.

In Kitábul Umm, Hadhrat Imám Sháfi (rahmatullah alayhi) states:

لَوْ نَسِيَ التَّسْمِيَةَ فِي الذَّبِيحَةِ أَكَلَ لَأَنَّ الْمُسْلِمَ يَذْبَحُ عَلَى اسْمِ اللَّهِ عَزَّ وَجَلَّ وَإِنْ نَسِيَ

"If he (thábi) forget the Tasmiah in the thabeedah, it will be eaten because a Muslim slaughters on the Name of Allah Azza Wa Jal even if he forgets."

The following points of great significance emerge from this statement of Imám Sháfi (rahmatullah alayhi):

(a) Tasmiah not recited due to forgetfulness.

(b) It is natural that a Muslim slaughters in the Name of Allah Ta'ala.

Although conceding that Tasmiah is not a Fardh Shart (compulsory condition) according to the Sháfi Math-hab, we must nevertheless emphasise that according to Imám Sháfi (rahmatullah alayhi) reciting of the Tasmiah is of absolute importance and very essential, far from the MJC claim that it is "not essential". We, therefore, find Imám Sháfi (rahmatullah alayhi) qualifying the non-recital of the Tasmiah at the time of thabah with nisyán (forgetfulness). It is precisely because of the profound importance which Imám Sháfi (rahmatullah alayhi) attaches to the Name of Allah Ta'ala when making thabah, that he says very clearly:

"If he forgot to recite the Tasmiah. . ."

If reciting the Tasmiah was "not essential" (as the MJC claims) then Imám Sháfi (rahmatullah alayhi) would not have qualified the non-recital of Allah's Name with forgetfulness.

Istikhfáf

Deliberate disregard of the Name of Allah Ta'ala at the time of thabah and regarding the Tasmiah as insignificant—"not essential"—when slaughtering, is not "for-

getfulness", but is termed by the Shariat as "Istikhfáf" (12) which is akin to kufr. It is totally inconceivable that Imám Sháfi (rahmatullah alayhi) asserted that reciting Tasmiah when slaughtering is "not essential" in view of the fact that the illustrious Imám himself brands as not halaal animals upon which the Tasmiah was neglected due to Istikhfáf. Thus he states in Kitábul Umm:

وَأَنْ تَرْكُهُ اسْتِخْفَافًا لَمْ تَوْكُلْ ذَبِيحَتَهُ

"And if it (the Tasmiah) is omitted istikhfáfan (considering it to be non-essential and of slight significance) then the animal thus slaughtered shall not be eaten."

This statement was made by Imám Sháfi (rahmatullah alayhi) to drive home the absolute importance and essentiality of Allah's Name even if the thábi happens to be a Kitábi. Of such tremendous importance does Imám Sháfi (rahmatullah alayhi) consider Tasmiah at the time of thabah that he hinges the permissibility of eating the thabeedah of a Kitábi on the recital of the Name of Allah Ta'ala by the Kitábi when he slaughtered the animal. In this connection he says:

فَإِنْ كَانَتْ ذَبَابَتُهُمْ بِسْمِ اللَّهِ تَعَالَى فَهِيَ حَلَالٌ وَإِنْ كَانَتْ لَمْ يَذْبَحْ

ذَبْحٌ آخَرٌ بِسْمِ اللَّهِ تَعَالَى مِثْلَ اسْمِ الْمُسْلِمِ

أَوْ يَذْبَحُونَهُ بِاسْمِ اللَّهِ تَعَالَى لَمْ يَحِلَّ لَهَا مِنْ ذَبَابَتِهِمْ

"Thus if they recited the Name of Allah on their slaughtered animals, then such animals will be halaal. And, if they have another way of slaughtering in which they recite a name other than the Name of Allah, e.g. the name of Maseeh (Nabi Isá-alayhis salám) OR they slaughter the animal without the Name of Allah, then this (animal) will not be halaal of their slaughtered animals."

It should now be understood that in so far as the thabeedah of Kitábi is concerned Imám Sháfi asserts that it will be halaal only if the Name of Allah Ta'ala was mentioned while slaughtering. Further, the great Imám made it clear that the thabeedah of even a Muslim who deliberately neglects the Tasmiah, is not halaal. How unjust then is it not for the MJC to claim that Allah's Name at the time of thabah is "not essential", moreover, the MJC compounds its injustice by attributing this falsehood to Imám Sháfi (rahmatullah alayhi). The correct Math-hab of Imám Sháfi (rahmatullah alayhi) on the question of non-recital of Allah's Name is reflected also in the following statement of Ash-hab (rahmatullah alayhi), which appears in Tafseer Qurtubi:

قَالَ أَشْهَبُ تَوَكَّلْ ذَبِيحَةَ

تِلْكَ التَّسْمِيَةَ عَمْدًا إِنْ لَمْ يَكُنْ اسْتِخْفَافًا

"Ash-hab said that the thabeedah of one who omits the Tasmiah knowingly will be eaten except if he (the thábi) regarded it (Tasmiah) as insignificant."

Some Ulama have used the word, taháwun (13) in place of istikhfáf. In Sharh-e-Muqaddamah Málikiyyah it appears:

وَكُلُّ هَذَا فِي غَيْرِ الْمُتَاهَوْنِ

"All of this (i.e. the differences pertaining to knowingly omitting the Tasmiah) is in regard to the ghair-mutaháwin (Tafseerul Mazhari) ---extracted from Jawahirul Fiqh.

Taháwun is similar to istikhfáf in meaning. It means: to consider lightly; to regard as insignificant; to regard as being "not essential" (in the style of the MJC). The abovementioned statement, therefore, means that those Ulama who have averred that the animal slaughtered by one who had knowingly not recited the Tasmiah is halaal, hold this view in regard to only one who does not neglect the Tasmiah and omit it light-heartedly, thinking it to be "not essential". However, regarding gross neglect of the Tasmiah, it is said!

إِنَّمَا الْمُتَاهَوْنُ فَلَا خِلَافَ بَيْنَهُمْ لَا تَوَكَّلْ

ذَبِيحَتَهُ تَحْرِيمًا قَالَهُ ابْنُ حَارِثٍ

وَالْبُشَيْرِ

"On the contrary, about the mutaháwin, there is no difference in the fact that his thabeedah will not be eaten since it is haraam. Ibn Hārith and Basheer have said so."

(Muqaddamah Málikiyyah---Tafseerul Mazhari---Jawahirul Fiqh)

Who is a mutaháwin? The Shariat defines the mutaháwin as follows:

وَالْمُتَاهَوْنُ هُوَ الَّذِي

يَتْرُكُ مَتْنَهُ ذَلِكَ كَثِيرًا وَلَا يَتَذَكَّرُ

"Mutaháwin: He is one who repeatedly resorts to it in abundance (i.e. he repeatedly neglects the Tasmiah and has made it his habit). And Allah knows best." (Muqaddamah Málikiyyah --Tafseerul Mazhari, cited from Jawáhirul Fiqh)

In these times there is no greater perpetrator of "taháwun" in regard to the Tasmiah at the time of thabah then the MJC. For years the MJC has condoned flagrant omission of the Tasmiah in the slaughter of billions of chickens at the many kuffár chicken-processing plants. When such deliberate and flagrant violation of the Shariat in the form of the unlawful taháwun was brought to the notice of the MJC, it chose to vehemently condone and justify the anti-Shariat activity and methods of slaughter of its appointed slaughterers at the chicken plants. The MJC has thus sanctioned the consumption of maitah and advocated gross taháwun and istikhfáf of such a weighty and essential practice-Shar'i practices--as the reciting of Allah's Name on the animal to be slaughtered. The Shariat, and the Math-hab of Imám Sháfi (rahmatullah alayhi) included, rules that all such animals are haarm.

وَأَنْ تَرْكُهُ اسْتِخْفَافًا لَمْ تَوْكُلْ ذَبِيحَتَهُ

"And, if the Tasmiah is omitted istikhfáfan then the animal so slaughtered will not be eaten."

(Kitábul Umm)

In the statement of Ash-hab (rahmatullah alayhi) cited above (and which appears in Tafseer Qurtubi) it was said that if the Tasmiah is omitted knowingly, but not istikhfáfan, then the eating of such flesh will be halaal. However, it has to be pointed out that such permissibility to eat the meat will be applicable to only rare cases of Tasmiah omission and not where wholesale omission of Tasmiah is practiced as has already been indicated above. Furthermore, according to Imám Sháfi (rahmatullah alayhi) this permission applying to rare cases of Tasmiah omission is not mutlaq (unrestricted and general). Even in rare cases where the Tasmiah has been knowingly omitted, Imám Sháfi (rahmatullah alayhi) while stopping short of proclaiming the animal haraam, nevertheless, brands the eating of such meat as abominable, undesirable--Makrúh. Thus:

إِنْ تَرَكَهَا مُتَعَمِّدًا أَكْرَهُ أَكْلَهَا وَلَمْ يَحْرَمْ

قَالَ الْقَاضِي أَبُو الْحَسَنِ وَالشَّيْخُ أَبُو

بَكْرٍ مِنْ أَصْحَابِنَا وَهُوَ ظَاهِرٌ قَوْلِ الشَّافِعِيِّ

"If he (the slaughterer) omits the Tasmiah knowingly, I regard the eating of it (the meat) Makrúh and it is not harám. Qadhi Abul Hasan and Shaikh Abu Bakr of our Ashábs said so. And, that is the evident view of Sháfi." (Ahkám Ibn Arabi)

From the foregoing it is quite obvious that the unfettered permission of the Sháfi Math-hab to consume the meat of animals on which the Tasmiah was not recited pertains to only such cases where the Tasmiah was omitted in forgetfulness. The Sháfi Math-hab--not the MJC math-hab--is briefly summarized as follows in this regard:

(1) Tasmiah omitted in the state of forgetfulness.

The animal in this case is perfectly halaal. In this case there is no karáhat (abomination) attached to eating such meat. This is also the verdict of the Hanafi Math-hab.

(2) Tasmiah is omitted knowingly, but not istikhfáfan or taháwun. The eating of the meat of such an animal although halaal, is Makrúh--abominable and undesirable. According to the Hanafi Math-hab, in this case the animal is absolutely haraam.

(3) Tasmiah is omitted istikhfáfan or taháwun. The animal is haraam in this case. All Matháhib brand the flesh as not halaal in this case.

Occasional omission of Tasmiah although knowingly will not be interpreted as istikhfáf on the Sháfi Math-hab. However, constant and wholesale omission is undoubtedly istikhfáf.

Not essential?

The MJC wishes us to believe that invoking Allah's Name at the time of thabah is not essential" according to Imám Sháfi (rahmatullah alayhi). Let the MJC hear the verdict of Imám Nawawi (rahmatullah alayhi) on this matter. Imám Nawawi (rahmatullah alayhi), a leading and one of the greatest Sháfi authorities, states in his Sharhul Muslim:

قَالَ إِمَامُ نَوَاوِي رَحِمَهُ اللَّهُ تَعَالَى فِي تَفْسِيرِهِ لِمَا فِي شَرْحِ الْمُسْلِمِ

(continued on page 5)

MUJLISUL ULAMA ZAKAAT ORGANIZATION OF SOUTH AFRICA

ZAKAAT QUESTIONS

- Q.** We are an Islamic Organization (Hanafi Math-hab) collecting Zakaat for distributing among the poor. Can we collect interest money? If yes how to distribute it?
- A.** Interest money is haraam money. You should not solicit such funds. Some organizations have stooped to the basest of levels by advertising for interest money. Such action is Islamically despicable since it confers respect to haraam money. Soliciting interest funds publicly is the same as soliciting for money which was earned by way of prostitution. Both are haraam; in fact, interest money is worse than prostitution money. Nevertheless, if people have such haraam money in their possession and they are unable to locate the true owners to whom the money has to be returned, then they have no option other than giving out such money to the poor. It should be well understood that banks paying interest are not the owners of the money or the interest which they paid, hence if one has committed the sin of having saved money in a bank then such sin should not be compounded by leaving the interest money in the bank but one should remove it and give it to the poor. Such haraam money falls under the Shar'i classification, *Wājibut Tasadduq* which means that it is compulsory to distribute the money to the poor without making a niyyat of sawāb because haraam does not beget sawāb. If interest money comes your way, you are permitted to accept same and distribute to the poor.
- Q.** Can we lend Zakaat money to Muslims for different purposes, e.g. construction of houses?
- A.** No, it is not at all permissible. Zakaat will be discharged only if distributed by way of tamleek to the correct Zakaat categories. Tamleek means, "to make one an owner". Here it means that the money must be given to the poor outrightly. They have to become the owners of the money then only will the Zakaat obligation be discharged. According to the Shariat you have no mandate to lend out Zakaat funds. Only the Islamic ruler has the right to grant loans from the Zakaat fund of the state.
- Q.** I have not paid Zakaat for a number of years. The amount is considerable, but presently I am not by the means to effect the full payment at once. Could I overcome my obligation by paying my Zakaat to the poor in monthly or occasional payments?
- A.** It is permissible to do so.
- Q.** We have a large sum of Zakaat money to distribute, but it is difficult for us to find sufficient avenues to distribute our Zakaat, and we have no confidence in the local Zakaat organization collecting Zakaat. We are contemplating to send our Zakaat to the Mujlisul Ulama Zakaat Fund. But, before we do so it is essential that we be informed about the following:
- Who does the actual distributing of the Zakaat monies?
 - How capable are those whom you appoint to distribute the Zakaat?
 - Are your Zakaat officers paid out of the Zakaat funds?
 - Where do you distribute the Zakaat funds?
 - Who sanctions the distribution?
 - Any other relevant information will assist us in making our conclusion.
- Our Zakaat is in the region of R40 000, hence we must be sure to whom we are to send the money.**
- A.** We are in agreement with you that you MUST be absolutely certain whom you are appointing as your agent (wakeel) to distribute your Zakaat, whether the amount involved is R40 000 or R40. Allah Ta'ala demands the discharge of your obligation. The man who has R40 to distribute as Zakaat is in the same category as you are with your R40 000 in so far as obligation to discharge Zakaat properly is concerned. You must and are fully entitled to make investigations about the wakeel you have in mind. But we must emphasise that, that is your problem and not ours.

The type of questions which you have asked will perhaps be answered by an organization which solicits funds and consume Zakaat funds for their pet projects and pay their so-called Zakaat officers therefrom under the guise of such "officers" being the Qur'anic category of "Amileen". The Mujlisul Ulama Zakaat Organization on the otherhand, is not a Zakaat or money soliciting organization. We INSIST that people should distribute their own Zakaat. We advise people that we are only a last resort. Should people be unable to distribute their Zakaat properly or should they be unable to obtain the services of some trustworthy person or organization

who could distribute their Zakaat, then only should they send their Zakaat to us. It was with extreme reluctance that we embarked upon a Zakaat Fund. The only reason which prompted us to initiate a Zakaat fund was the haraam manner in which organizations, especially the so-called S.A. Zakaat Fund of the MYM, were handling the Zakaat issue. It was with this Shar'i motive to combat the haraam activity of such incompetent, unauthoritative and bātil organizations that we had to branch from our sphere of activity, viz. matters pertaining to Islamic Knowledge and Imān, and engage to some extent in Zakaat funds. Furthermore, in every issue of "The Majlis" it is made abundantly clear that anyone who wishes to divert their Zakaat to us is under an obligation to make the niyyat that we are appointed as the unfettered wakeel, having the right to distribute such Zakaat according to the Shariat in whichsoever category we choose. In our distribution we take no orders from anyone and we are not bound to furnish replies to anyone. If the sender cherishes the slightest vestige of doubt in so far as our integrity is concerned, he shall do us a tremendous favour by NOT sending his Zakaat to us. We are not appealing for Zakaat funds. The receipts which we issue for Zakaat monies sent, are merely acts of favour which we confer upon those who send their Zakaat to us for distribution. In sending your Zakaat to us you will not be doing us any favour. On the contrary you will be imposing a difficulty upon us. Hence, we are rendering a favour to those whose Zakaat we are distributing. And, we have no intention to be called to account by those upon whom our favour (ihsān) rests. You will have, therefore, to find other means of ascertaining our credibility and integrity. We are not prepared to answer your questions, for in answering, the impression will be conveyed that we are interested in the "large" amount which you have stated. And, it is utterly beneath the dignity and honour of Ilm to create even the impression that it is soliciting funds. So, brother, we regret that we are not in position to assist you with the information you seek although we do concede the importance of the information to you. But, as we have said — that is your problem. We neither have the leisure nor the inclination to solve this problem of yours. All those forwarding their Zakaat to, us MUST know that they are sending us a **blank cheque** because we accept Zakaat only on the basis that we are the full, free and unrestricted wakeel of those who send their Zakaat. Hence, you must be absolutely certain to whom you are handing your **signed blank cheque**.

Your Zakāt our Condition of Acceptance

The prime purpose of the Mujlisul Ulama Zakaat Organization is to guide Muslims in their Zakaat affairs. Our aim is not to be a money-collecting organization. However, where Muslims find that they are not able to distribute their Zakaat funds in accordance with the Shariah, they may then divert their Zakaat payments to us. To assist us in this task and to lighten the responsibility for us we stipulate the following condition for the acceptance of Zakaat funds diverted to us for distribution:

WHEN FORWARDING ZAKAAT TO US, DO MAKE THE NIYYAT (INTENTION) OF MAKING THE MUJLISUL ULAMA ZAKAAT ORGANIZATION YOUR FREE AND UNFETTERED WAKEEL (REPRESENTATIVE) IN THE DISTRIBUTION OF YOUR ZAKAAT.

This niyyat by you will enable us to distribute your Zakaat in accordance with the Shariah in a manner that will make it easy upon us to effect the distribution. Do remember that the effect of making this niyyat (as outlined above) will permit us full and unfettered control and freedom to distribute within the Shari Zakaat categories in a manner, time and amount as we deem fit.

PLEASE NOTE THAT WE SHALL ACCEPT YOUR ZAKAAT FOR DISTRIBUTION ONLY ON THIS CONDITION. If you cannot agree to this condition, please do not forward your Zakaat to us for distribution. You may in that case divert your Zakaat elsewhere for distribution.

Zakaat

Masaa-il

- Zaid asked Amr to pay his (Zaid's) Zakaat. Before Zaid gave Amr his Zakaat money for distribution, Amr out of his own money paid Zaid's Zakaat. The Zakaat thus paid is discharged and Amr has the right to claim from Zaid.
- Zakaat paid on another's behalf without his/her instruction is not discharged even if the one on whose behalf the distribution was made ratifies it. In this case the distributor will have no claim against the one on whose behalf he made the Zakaat payment.
- Waiving the debt of a debtor in lieu of one's Zakaat liability will not discharge the Zakaat debt. For example: Zaid owes Amr R500. Amr's Zakaat also amounts to R500. Now if Amr absolves Zaid of the debt making niyyat that the R500 debts cancelled is his (Amr's) Zakaat payment then the Zakaat obligation will not be discharged. However, if Amr hands Zaid (i.e. if he qualifies to accept Zakaat) his R500 in settlement of the debt, then Amr's Zakaat is discharged.

- It is not necessary to mention to the one who accepts Zakaat that the money given is Zakaat money.
- It is not lawful to give one's parents (including grand-parents) and to one's offspring (children as well as grand-children, great-grand-children). Besides parents and offspring it is permissible to distribute Zakaat to all other relatives.

Zakaat Wakeel

The Wakeel appointed to distribute Zakaat is entitled to distribute the Zakaat himself or appoint another to do so on his behalf. It is not necessary for the Wakeel to declare the name of his principal to the one whom he appoints to distribute the Zakaat. The Wakeel is entitled to distribute the Zakaat to any of his needy relatives (who qualify to accept Zakaat).

THE DEAD ARE CONSCIOUS

Sheikh Abu Ali Rūdbāri (rahmatullah alayhi) narrates that a group of dervishes (pious men) came to him. A faqir in the group became ill and remained bedridden for a very long period. His companions were overwhelmed by the constant attention and care which they had to give him for such a long period. One day in a state of frustration they complained. Hadhrat Shaikh, contrary to his habit, took an oath by Allah that the caring of the patient will have to be done by the companions. He compulsorily imposed this duty upon them. Accordingly the duty was carried out for a period thereafter, until finally the faqir died.

The Shaikh with his own hands administered the ghushl and kafan of the dead faqir. After performing the Janāzah Salāt, the Shaikh decended in the qabr and the body was lowered. When in the grave the Shaikh opened the head-bands, he discovered that the eyes of the mayyit had opened and the dead faqir spoke:

"O Abu Ali (the Shaikh)! I tak an oath that I will most assuredly assist you on the Day of Qiyāmat since you in opposition to your nafs swore an oath thereby assisting me."
(Raudhatur Rayyāheen)

The dead are conscious

Once Shaikh Abu Saeed Khazzār (rahmatullah alayhi) was emerging from Bāb Bani Shaibah in Makkah Muazzamah and observed nearby, the dead body of an extremely handsome youth. The Shaikh narrates:

"I studied his face with great attention. The dead youth opened his eyes, smiled and said: 'Abu Saeed, do you not know that the lovers of Allah do not die? even though it appears as if they are dead? They are merely transported from one realm to another.'
(Raudhatur Rayyāheen)

MAHR-E-FATIMI

In calculating the value of Mahr-e-Fātimi multiply 49.21 by the price of silver per troy ounce.

The value of Mahr-e-Fātimi during the month, Shawwāl, 1401 (August, 1981) was R 445

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No. 19 — Concocted “Tasfeer”

Exponents of computerized “tasfeer” of the Qur’ān Shareef — computerized concoction — are striving to weave an aura of holiness around the number 19. In this direction Mr A. Deedat of Durban has written a pamphlet which he titled: AL-QUR’AN THE ULTIMATE MIRACLE. In this booklet of his, Mr Deedat have advanced claims and spun theories which besides having no sanction in-Islam, border on kufr.

Mr Deedat’s booklet is replete with errors, misconceptions and deception. He utilizes the Bahai holy number 19 in a vain attempt to prove that the axis of the Qur’ān-e-Hakeem is the number 19. Knowingly or unknowingly, Mr Deedat is guilty of a grievous sin and has rendered the Qur’ān Shareef and Rasulullah (sallallahu alayhi wasallam) the greatest of disservice by propounding theories which in the Shariat are totally absurd and unbecoming of a claimant of Imān.

Mr Deedat’s booklet which covertly extols the Bahai holy number 19 is another addition to the series of bātil which men deficient in Imān are sowing into the soil of Islam. The basic theme of Mr Deedat’s preposterous theory is that the i’jāz (miraculous nature) of the Qur’ān Shareef is pivotted onto the number 19. But, he has not been able to adduce a stitch of Shar’i evidence in substantiation of his whimsical opinion. By and large, the pamphlet of Deedat is nothing but conjecture based on compound ignorance.

The emphasis on the Bahai holy number 19 alerts us to a grave danger. The hoisting of the number 19 and clothing it with a hallowed mystery supposedly linked with the miraculous nature of the Qur’ān Shareef is

subtle introduction of the kufr Bahai cult into the Muslim community. Muslims have therefore to beware. No one should be deceived by the fallacious arguments put forward by Mr Deedat in support of his anti-Islamic theories raised on the basis of the Bahai number 19. As far as the Shariat is concerned, there is nothing hallowed and sanctimonious about the number 19 nor is there any Shar’i credence for Deedat’s theories. In fact, the implications of Deedat’s Bahai 19 theory send out ominous tentacles in the direction of Imān. Muslims must beware.

To apprehend this grave danger to the Imān of the unwary, the Mujlisul Ulama has prepared a detailed refutation of Deedat’s computer 19 concoction. Deedat’s claims and baseless theories are thoroughly dissected and demolished in our book, by the Fadhl of Allah Ta’ala. This booklet for the edification of the Muslim public will soon be available, Insha’Allah.

Mr Deedat has taken his cue on this matter of computer-concocted “tasfeer” from one Rashad Khalifa, a modernist of the United States. Some years ago there was a man known as Perdu operating ominously in Durban. The supreme governing body of the Bahai religion, viz. Universal House of Justice, enjoys Israeli patronage in the city of Haifa. The Bahai religion is well-grounded in America. The number 19 is the holy number and the axis of the Bahai religion. Now we have Deedat of Durban manipulating this self-same Bahai number 19. On closer examination, a juxtaposition of these aspects will be discerned . . . and we believe that this is not a mere fortuitous juxtaposition of events. May Allah Ta’ala save Muslims from the Bahai and the Qādiāni menaces.

CHEESE
HALAAL OR HARAAM ?
See inside

AFGHANISTAN Russians Retreating

On the 22nd September, 1981, the Islamic Society of Afghanistan issued the following statement:

“According to the latest information received from inside Afghanistan, Russian troops are retreating from their strongest attack on Panjshair. The attack commenced with heavy air bombardment in the first week of September. Earlier, Russian jets had dropped pamphlets containing a warning to Mujahideen that if they do not surrender by September 5, strong actions would be undertaken against them. The pamphlets requested the representatives of the people to go to Russian headquarters raising a white flag on September 5th. Of course, Mujahideen disregarded that warning. In response, Russian planes took the Panjshair valley under strong air bombardment for 5 consecutive days. The planes were mostly MIG 27s, 25s and 21s which bombarded from high altitude. Helicopter operations were limited. Russian MIGs dropped mostly two types of bombs: cluster bombs which exploded into many smaller bombs near the ground, and bombs with parachute. Civilian casualties specially among women and children were high. Mujahideen’s anti-aircraft machineguns were very active and shot down at least one MIG and one helicopter.

After 5 days of air bombardment Russian and agent troops attacked the Panjshair valley on 3 fronts. They had worked for preparing the infrastructure for several weeks. Mujahideen knew about their preparations and had taken precautionary measures. The massive Russian attack was stopped in Faraaj. The fighting lasted for over 10 days. Details of the fightings and casualties are not available yet. But travellers coming from Kabul report the retreat of the invading troops. Once again the heroic Mujahideen of Jamiat-e-Islami Afghanistan in Panjshair taught the savage Russians a lesson they will never forget.”

AFGHANISTAN JIHAD ACTIVITY

The following are reports on the Jihād activity of the Mujāhideen of Afghanistan fighting the Russian Kuffār.

July, 1981:

*The Majūhīdeen ambushed Russian forces in the region of Jangal Bagh of Tatum Dara destroying 12 tanks, 3 cannons and two military trucks loaded with arms. Ten Russians were killed and the Mujāhideen retreated safely to their hideout.

*In another encounter the Mujāhideen captured two military trucks loaded with wheat and refrigerator.

*In an operation in Ghorband, sub-city of Parwan the Mujāhideen destroyed 12 Russian trucks two tanks and killed 25 khalqies and Parchamies. In this operation a Kalakov machine-gun fell in to the hands of the Mujāhideen.

August, 1981:

*In Kunar Province two Russian tanks and a military truck were blasted by a mine planted by the Mujāhideen. A day later another Russian tank was destroyed killing 8 men on board.

*A tank was blasted in a

convoy of Russian tanks moving from Chagha Sara towards the city of Chowki. Similarly another tank and a military truck were destroyed in a mine explosion when a convoy of the Russian puppet government was moving from Jalalabad towards Chagha Sara. Thirteen troops along with four military officers were killed.

*In Kutal Sowdagaran two Russian tanks and two military trucks were destroyed by mines planted by the Mujāhideen.

September, 1981:

*Mujāhideen attacked the Kama sub-province and inflicted heavy losses on government positions in the area. A number of Russian and pro-Russian troops were killed. The same group of Mujāhideen attacked troops repairing the road and in the ensuing battle 10 troops were killed. In spite of bombardments of 6 Russian jets, the Mujāhideen withdrew safely.

*Russian and militia troops attacked Mujāhideen positions in several villages in Keshem. Heavy casualties were inflicted on the invading troops by the Mujāhideen. Twenty Russians were killed, and fifteen wounded. In addition more than 40 government troops were

SYRIA

AL-NAZEER, the official Bulletin of the Mujāhideen of Syria comments:

THE MASK AND THE REALITY

Asad has tried for the last few months to convince others that his regime is still strong and stable. But his survival till today is due to some political circumstances — internally, regionally and internationally.

Internally, Al-Mujahideen have decreased their operations within a plan, and the people of Syria have faced the most savage treatment and terror which may be committed by a tyrant against unarmed people.

Regionally, the role of Assad in Lebanon has shown him to be strong, but the true picture in Lebanon is that the different groups there could not reach any agreement. This made Assad feel that he is strong and he is the master in Lebanon.

Internationally, however, Assad has shown the West that he is of some value in the area and if he is not supported he will open the door for the Russians to come to the area.

All these circumstances allowed Assad to strengthen his regime with paper shields which made it look strong and stable.

But lately Assad has realized that all his effort to repair his picture inside Syria did not help as the mask is different from the reality and the false picture will not stay for ever.

The real story is that Assad’s regime is near its end and this will be achieved by the guns of the Mujahideen.

Iran clamps on Baha’is

LONDON — Iran’s Islamic authorities are expelling members of the Baha’i faith from factories and have ordered the closure of shops owned by Baha’is, according to a statement issued by the Baha’i community in London.

The Government has also barred Baha’is from teaching or studying in institutions of higher education, it said.

The Baha’i faith, founded in Iran in the 19th century, is regarded as heretical by Islamic fundamentalists. Sapa-Reuter (Evening Post)

killed and a considerable about of arms and ammunition was captured by the Mujāhideen.

SYRIA JIHAD ACTIVITY

The Mujāhideen of Syria report on the progress of their Jihād:

*Al-Mujāhideen bombed the office of Tas, the Soviet News Agency on 16th June, 1981. Later several houses of Nusairy officers were also bombed.

*During July, 1981 Al-Mujāhideen ambushed a security coach on the Airport Road. Fifteen elements were killed and more than thirty wounded. The Mujahideen withdrew safely. Later the same day a four-hour battle took place when the security forces attacked a Mujāhideen base in Al-Mazah. The base was shelled. Four Mujāhids were martyred

while 11 security elements were killed and more than 20 wounded.

*In July, two Russian security advisors were killed by the Mujāhideen.

*A Mujāhid attacked a security vehicle and retreated into a park. He was fired on heavily by security forces, but managed to escape.

*On 4th June, 1981 Al-Mujāhideen ambushed a security patrol to the south of Al-Arba-een Mountain and destroyed its vehicle.

*The above are only some of the many operations which the Mujāhideen carried out against the Nusairy regime of Assad in recent months.

200 KILLED

DAMASCUS, 17th August 1981:

A group of Mujāhideen bombed the Ministers Council Office while the regular weekly meeting was in session. Extensive damage was caused to the building and the fire

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QUESTIONS and ANSWERS

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Q. Is masturbation permissible in Islam? This question is the subject of much discussion among the students of our college. Some say that it is permissible and others say it is not. What is the Shariat's ruling?

A. Masturbation is not permissible. Rasulullah (sallallahu alayhi wasallam) severely criticized this abominable practice. Masturbation causes both physical and spiritual harm.

Q. We all know that interest is *haram*. But the banks use our money for profit-making. Why then can we not use or accept the interest which the bank pays?

A. Because Allah Ta'ala has declared *riba* to be *haram*.

Q. What is the meaning of the following hadith: "Cursed is he who goes unto his wife by her back."

A. "Verily, he who comes unto his wife by her back, Allah will not look at him."

Q. The act of sodomy — unnatural sex — is *haram*. The hadith prohibits the perpetration of such abomination even with one's wife. The term "back" (*dubur*) mentioned in the relevant *ahadith* refers to the anus. During the time of Rasulullah (sallallahu alayhi wasallam), the Jews claimed that if a man approaches his wife from behind (i.e. sexual relations in the vagina, but approaching from behind), the child born of such a union will be squint-eyed. In negation of this claim, the following Qur'anic *ayat* was revealed!

"Your wives are your harth (ploughing land). Approach your harth from whichever way (or direction) you desire."

This Qur'anic verse permits approaching the wife in *sec* from any direction and the authentic *ahadith* abundantly and categorically prohibits sex in the anus. Rasulullah (sallallahu alayhi wasallam) cursed those who indulged in such unnatural cohabitation.

Q. Please inform whether it is permissible to operate an Islamic library out of income which is derived solely from selling insurance policies?

A. Insurance policies are *riba* transactions, hence *haram*. Income derived from this source is *haram*. Acts of *sawaab* (spiritual reward) such as Islamic libraries cannot be operated with *haram* wealth.

Q. Are the crossword puzzles appearing in newspapers permissible?

A. Crossword puzzle competitions will be permissible if there is no fee to be paid; no questions of an anti-Islamic nature to be answered; and, no other Islamically unlawful condition to be fulfilled.

Q. I owe some people some money which I obtained from them by means not lawful in Islam. I went to prison for a certain crime. I have now been released and Allah has made me realise the wrong of my deeds. I wish to pay back the money to the owners, but some of them have already died. What should I now do?

A. Pay the money to the heirs of the dead to whom you are indebted. If the deceased left no heirs or if you are unable to trace the heirs, then give the money to the Muslim poor on behalf of the deceased. Insha'Allah, you will obtain Allah's pardon.

Q. I am told that cheese contains a substance known as rennet which is an animal extract. This has created much doubt in my mind regarding cheese. Is cheese *halaal*?

A. This is a very old controversy which has as yet not been satisfactorily resolved. Our findings are that South African cheeses contain both animal as well as plant rennet. Cheeses with animal rennet are *haram*. The only cheese factory in South Africa producing cheese with plant rennet, to the best of our knowledge, is in Lichtenburg, Transvaal. The cheese of this factory is marketed under the brand, ELITE. In one of the issues of "The Majlis" sometime ago we had stated that cheese even if it contains rennet extracted from animals slaughtered unIslamically, is *halaal*. This statement of ours was based on a misconception. We retract our previous statement and join with the Ulama who say that cheese containing animal rennet is *haram*. See our retraction and clarification appearing elsewhere in this issue.

Q. A group of people came to the Masjid after the jamaat Salaat was over. This group performed the Salaat in jamaat inside the Masjid. The Imaam afterwards informed these people that it was wrong to perform a second jamaat inside the Masjid. He said that they should have made their jamaat in the section of the building which is adjacent to the Masjid. Is this ruling of the Imaam correct?

A. It is not permissible to perform a second jamaat inside a Masjid in which the five daily Salaat are being performed in jamaat at fixed times. The Im-

aam was quite correct. This is according to the Hanafi Math-hab.

Q. In a certain competition one pays in a small fee, but it is clearly stated that the loser will be refunded the full amount which he had paid. Is it permissible to enter such a competition?

A. Such a competition is not lawful in Islam despite the fact that the fee is refunded. Such competitions are both *riba* and *maisar* (gambling).

Q. A man had four sons. One son died before him, leaving two sons and a daughter. There is some argument regarding the heirs of Ahmad. Are Ahmad's grand-children (i.e. the children of his son who died before him) inheritors in his (Ahmad's) estate?

A. The son who pre-deceased his father (Ahmad) does not inherit in his father's estate. In the Shariat there is no inheritance by succession. Thus, the pre-deceased son's children (Ahmad's grand-children) will not inherit in Ahmad's estate.

Q. Regarding inheritance, what is the position of adopted children. Do they inherit in the same shares as one's own children?

A. Adopted children do not inherit automatically in one's estate. However, one is allowed to bequeath for them as well as anyone who is not an automatic Shar'i heir an amount not exceeding one-third of one's estate.

Q. What does Islam say about the inheritance of an illegitimate child? Does such a child inherit in his father's estate?

A. An illegitimate child's parentage to his "father" is not established according to the Shariat. Neither will he inherit in the man's estate — the man who fathered him — nor will the man inherit in this child's estate. However, the illegitimate child will inherit in its mother's estate and she will inherit in its estate.

Q. My wife and I want to adopt a child in the United States between the age of six weeks and three years. Do we have to observe *purdah* for the child when it attains puberty?

A. In terms of the Shariat an adopted child does not become one's own child. Adoption does not create the ties of blood. The laws of *Purdah* will have to be observed for the child when it has attained puberty.

Q. If my wife suckles the child, what relations will the child have with my wife, our children and myself?

A. If your wife suckles the adopted child, it will enter the prohibited marriage class of relatives. As far as the Shar'i marriage law is concerned, the child will be regarded as your own. But, such a child will not be an automatic heir in your estate.

Q. What is the *iddat* period of a divorced woman who does not get *haidh* periods?

A. Her *iddat* is three months.

Q. It has been translated to me from Arabic text of Hadith that the Nabi (sallallahu alayhi wasallam) was sitting in a group of Sahabah. Ali, Umar, Abu Bakr, etc. were also in the group. On this occasion his thighs were showing. When another Sahabi entered, he (Nabi — sallallahu alayhi wasallam) covered his thighs. The one who translated this hadith said that because of this incident it is permissible for a Muslim male to wear shorts (with thighs exposed). What is the *satar* for men to cover in public?

A. According to the Hanafi and the Shaafi Math-hab, the thighs of a male are *satar*. It is compulsory to cover the thighs. Exposing the thighs is sinful. The hadith cited in the question cannot be used to legalize shorts for men. From the Arabic text of the hadith it is clear that the narrator in relating the hadith expressed uncertainty as to which part of Rasulullah (sallallahu alayhi wasallam) was uncovered. Because the narrator was not certain, he states in the narration, "thighs or legs" (i.e. from below the knees). An ambiguous and uncertain narration cannot be used to negate a clear and unambiguous command of Rasulullah (sallallahu alayhi wasallam). Rasulullah (sallallahu alayhi wasallam) has explicitly forbidden the revealing of the thighs. He clearly said that the thighs are "aurah" (*satar* to be compulsorily covered). In another statement, Rasulullah (sallallahu alayhi wasallam) forbade looking at the thigh of even a dead man. The *satar* of a male is from the navel until the knees. According to the Hanafi Math-hab the navel is excluded from the *satar* and the knees are included in the *satar*. According to the Shaafi Math-hab the navel and the knees have to be partially covered.

Q. Could I make my mother, father, sister, brother, etc. who are non-Muslim, beneficiaries in my Will? Is this Islamically lawful?

A. It is not lawful.

Q. Can a Muslim inherit from non-Muslim relatives?

A. A Muslim cannot inherit from non-Muslims.

Q. In what language should the Juma' Khutbah be recited? There are people in the U.S.A. who say that it is not necessary to recite the Khutbah in Arabic.

A. It is essential to recite the Friday Khutbah in the Arabic language. It is compulsory to do so. Reciting it in a non-Arabic language is not permissible.

Q. When does trading become unlawful on the day of Juma'?

A. From the first Athaan of Juma'.

Q. Recently when President Sadat of Egypt died the Alim in our town arranged janaazah prayers to be made for him. This has brought about some controversy in our town. Some people said that it is not permissible to have janaazah prayers for President Sadat. Different people gave different reasons. Some said that for Janaazah prayers the body has to be present. Some said that President Sadat was not a religious leader or a pious person, therefore, the prayers should not have been made for him. Others again said that President Sadat had betrayed the Arab cause by making peace with Israel. He is therefore, a traitor to the Muslim cause and Muslims should therefore not have made the janaazah prayer for him. One person said that it was incorrect for the Alim to have arranged this prayer because in the Hanafi School of Thought such janaazah prayers are not correct and the Alim in question is a Hanafi. Who is right and who is wrong in this matter? Is janaazah prayer permissible even if the body is in another city or country?

A. According to the Hanafi Math-hab, Janaazah Salaat in the absence of the mayyit (dead body) is not valid. Such Janaazah Salaat is not permissible. On the other hand, it is permissible according to the Shaafi Math-hab. But, it was highly improper for the Hanafi Alim to have organized this Janaazah Salaat. Also, it is not permissible for followers of the Hanafi Math-hab to participate in such a Janaazah Salaat. The objectors who present reasons other than the Fatwa of the Hanafi Math-hab, are not motivated by the Deen in their stand against the Alim who wrongly arranged the performance of this Janaazah Salaat for the absent body of Mr. Sadat. We strongly believe that it was a great wrong to have organized the Janaazah Salaat for Mr. Sadat. The Alim concerned grossly abused his position and betrayed his Math-hab in perpetrating this wrong. It is difficult to believe that the Alim involved in this unlawful act was motivated by the Deen in arranging Janaazah Salaat for Mr. Sadat who is the anti-thesis of Allah's Deen. Mr. Sadat is but one of the many millions of Muslims inhabiting the earth. Did this Alim arrange Janaazah Salaat for other Muslims who have died and are dying by the minute the world over? Did this Alim arrange Janaazah Salaat for the Ulama who have been brutally murdered by Sadat and his predecessor, Mr. Nasser of Egypt? Did this Alim arrange Janaazah Salaat for King Feisal who was murdered by some westernized version of a Muslim? If Janaazah Salaat had to be performed (i.e. on the reasoning of the Alim) then King Feisal had a greater right to such honour. After all, he was the Custodian of our Holy Cities, no matter how much we may have disagreed with him on issues. Why did this misguided "Alim" single out Mr. Sadat of all people for bestowal of this "honour"? The motive seems to be sinister.

We must at this juncture make it quite clear that our opposition to the Janaazah Salaat which was performed for Mr. Sadat is not based on any of the nonsensical reasons which the ignorant readers of newspapers advance. Our objection has absolutely nothing to do with Mr. Sadat having entered into a peace treaty with Israel. Most people (i.e. Muslims of our day) who are opposed to Mr. Sadat suffer from mob-mentality disease. They have labelled Mr. Sadat as a traitor because of his peace overtures with Israel. They are not concerned if Mr. Sadat was a destroyer of the Shariat. We do not hold the common view that Mr. Sadat was a traitor because he entered into peace with Israel. Rather, on this score, he acted with the greatest of adroitness and diplomacy. We are not saying that his move was correct. Nor do we say that he was wrong in this exercise with Israel. What we are saying is that he cannot be branded as a traitor on the basis of the Shariat because of his peace moves with Israel. Beaten on the battlefield — Nasser, Sadat and the Arabs as a whole — Sadat had no other alternative but to stop the womanish cringing and mongerel barking in which the present-day Muslim political leaders specialize.

QUESTIONS and ANSWERS

MUJLISUL ULAMA OF S.A.
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His move to sue for peace was not based on any traitorous design, but was the consequence of realism — the realization that he and all the armies and political leaders of the Muslim lands put together were grovelling in abject impotency. He realized that Israel did as she pleased with the Arabs. Sadat thus adopted this strategy to consolidate his position (although he would never have attained such desired consolidation because he was an enemy of Islam) — to wait for a better time and when the time is opportune to eliminate Israel. Great Muslim religious (pious and uprighteous) men, like Sultan Salaahuddin entered into peace treaties with men like Richard who mercilessly and cowardly butchered helpless Muslim men, women and children. Rasulallah (sallallahu alayhi wasallam) entered into treaties with the kuffaar. Such peace overtures which in reality are acts of strategy which the common and ignorant man in the street fails to understand, are upheld by the Shariat. No leader or king can be Islamically branded as a traitor for entering into peace with any opponent of the Muslims.

Muslim governments of almost every Muslim land of today are manned by the worst of scum, gangsters and bandits. The tyrants ruling the Muslim lands today are the worst enemies of the Deen. But then we cannot complain much about having such corrupt and irreligious kings and presidents and prime ministers. Rulers are merely mirrors of our actions. The ugliness of our political scenes is the reflection of our ugly spiritual lives.

Our opposition to the Janaazah Salaat which was arranged by the misguided Alim who is supposed to be a Hanafi is based on the following grounds:

- In the Hanafi Math-hab, Janaazah Salaat on an absent body is not permissible.
- The Hanafi Alim was supposed to have upheld the Hanafi Math-hab and not to inject his personal motives into the community under the guise of the Shariat.
- As far as Mr Sadat is concerned, even Shaafis should not perform Janaazah Salaat (i.e. in absence of the body) for him because in so doing honour is bestowed upon Mr Sadat. Mr Sadat was a faasiq and an enemy of the Deen of the highest order, and the Shariat prohibits the bestowal of honour on a faasiq, moreover when the faasiq is the enemy of the Shariat.

The other political considerations and connotations which the ignorant so-called politically minded street masses give this matter, form no part of our opposition and condemnation of the Hanafi Alim's act of having performed, Janaazah Salaat for the absent body of Mr Sadat.

What we have said above is the factual position. But now, Mr Sadat is dead. We have not branded him as a kaafir nor have we any knowledge that the Ulama-e-Haqq of Egypt or elsewhere have branded him as a kaafir. We therefore, believe that he was a Muslim and died as a Muslim. And, our Nabi (sallallahu alayhi wasallam) ordered us to refrain from speaking ill of our dead. If in presenting this explanation we have erred in condemning the dead Mr Sadat, then we beseech Allah's Forgiveness. We make du'a unto Allah Ta'ala to forgive Mr Sadat and grant him Jannatul Firdaus, Ameen. The vociferous jeers and cries of "traitor" will not influence Allah's Rahmat which operates unfettered on even those who were considered on earth to be the worst of scoundrels.

- Q. It has become a common practice nowadays for Muslims to grace the funeral procession of non-Muslim friends, relatives and neighbours. Some even go to the church or temple to attend the service. Does the Shariat permit our attending the funeral services of non-Muslims?**

A. It is not permissible. As long as there remains life, the hope of Imaan remains. This hope and possibility cease with death. We are not allowed to honour those who died in kufr, rejecting the Deen of their Creator.

- Q. A person in the condition of janaabat took ghushl but did not wash his feet during the wudhu as the water was damming around his feet. After ghushl he forgot to wash his feet and made several Namaazes in this condition. The following day it occurred to him that he did not wash his feet. What should he now do? He, in fact, took ghushl again and made qadhaa of the namaazes which he had made.**

A. There was no need to renew the ghushl. Merely washing the feet would have sufficed to complete

the gushl. The Namaaz had to be made again.

- Q. Is the vomit of a milk-drinking infant napaak?**
A. It is najas (napaak — impure).

- Q. Is it permissible to touch without wudhu an English translation of the Holy Qur'an in which there is a complete text of the Qur'an in Arabic?**

A. It is not permissible to touch it without Wudhu.

- Q. What is the rule regarding Qur'anic verses in books? Many books in English have verses of the Qur'an in Arabic. Is it permissible to touch such books without Wudhu?**

A. It is permissible to touch such books without Wudhu, but it is not permissible to touch the Qur'anic verses in these books without Wudhu.

- Q. I wish to present as a gift to a non-Muslim friend a copy of the Qur'an with English translation. Is this allowed in the Shariat?**

A. It is not permissible to do so. To touch the Qur'an Shareef one has to be in the state of tahaarat (purity). Islamic tahaarat cannot be expected from non-Muslims. The sanctity of the Qur'an-e-Kareem will be greatly dishonoured in giving the Qur'an to persons who will touch it without being in the state of Tahaarat. And, to dishonour the Qur'an Shareef is a crime of the highest degree.

- Q. I have hired a shop premises. I am the tenant, but I have in turn hired it to another man who pays me a higher rental than what the landlord charges me. I am liable for R300 rent per month but I have hired the premises for R400. I pay to the landlord the agreed amount of R300 and take for myself the extra R100. This is without the knowledge of the landlord. Am I entitled to the extra R100 according to the Shariat?**

A. No, you are not. Neither you nor the landlord is entitled to the extra R100. While a tenant has the right to sub-let the premises, he is not entitled to let it for a rental higher than what he is paying. The excess must be returned to the sub-tenant.

- Q. What does the Shariat say about woman cutting their hair?**

A. It is not permissible for women to cut their hair.

- Q. My late father had a life insurance policy. His beneficiaries are to obtain a large sum of money now. What is the Shariat's law regarding this money? How must the money be distributed Islamically among the heirs of my father?**

A. Insurance money is haraam. Insurance is a ribaa contract. The heirs of your father are entitled to only that amount which he had paid to the insurance company by way of premiums, etc. The amount which your father paid to the insurance company has to be included in the estate of the mayyit (i.e. your deceased father) and divided among the heirs according to the Shariat's inheritance rules. The additional amount (i.e. the excess which remains after deducting the amount paid in from the full amount obtained from the insurance) has to be compulsorily given in charity without making a niyyat of sawaab. However, such money cannot be utilized in a Musjid.

- Q. Certain policies which building societies sell, as I have understood it, are not interest deals. They invest the money in property — buying and selling fixed properties — and pay policy-holders out of the profits obtained in this way. Is it permissible to invest in this type of policy?**

A. All types of policies and contracts sold by building societies and insurance companies are ribaa contracts. The question is not the source from which they pay policy-holders ribaa which they variously term "profit", "dividend", etc. Regardless of whether the source from which they yield their profit is lawful, the fact remains that the nature of the contract entered into between the company and the policy-holder is a contract of ribaa. You may have perfectly lawful income and pay someone interest on a loan from your halaal income, nevertheless, it will be haraam for the one who gave you the loan to accept the interest (like it is also haraam for you to give him interest) notwithstanding the fact that you are paying out of halaal money. Hence, it is not permissible to "buy" any type of policy or make any investment with building societies and insurance companies.

- Q. What is the position of an insolvent debtor in Islam. Does the Shariat set him free from his debts in the same way as western law does?**

A. An insolvent debtor will remain liable to pay his creditors for the rest of his life. Insolvency does not absolve the debtor of his debts. If he can't pay today, he will have to pay tomorrow or tomorrow or tomorrow . . . until such time that he liquidates his debts. If he has no niyyat of repaying, shielding under the protection of western kuffaar laws of economics, then he shall be called upon to pay on the Day of Qiyaamah when payment will have to be effected in a different and unbearable kind. If he has the niyyat of paying, but circumstances

did not permit payment, then, Insha'Allah, Allah Ta'ala will satisfy his creditors on the Day of Qiyaamat. The Shariat does not subscribe to the unjust insolvency and company laws of the kuffar.

- Q. Some people have in their homes pictures of the Burraaq. They regard such pictures as being auspicious. What is the ruling of the Shariat?**

A. Such pictures are haraam. In fact, the hurmat (unlawfulness) of such pictures is of a greater degree than pornographic pictures because in such pictures of assumed holiness is the grave danger of kufr and shirk which are the worst of sins according to the Qur'an Shareef. Besides the fact that Islam prohibits pictures of animate objects, it is a notorious falsehood to claim that the picture drawn of imagination is the picture of the Burraaq which transported Nabi (sallallahu alayhi wasallam) on the Mi'raaj Journey. The attribution of barkat (auspiciousness) to the fraudulent picture is more fraud perpetrated in the name of the Shariat since the Shariat does not ascribe any barkat to such pictures. A further factor which compounds the hurmat (prohibition) of such pictures is the attribution of barkat to what Allah Ta'ala has made haraam. The Shariat's law of prohibition does not apply to only pictures of this nature which happen to be of human beings and animals. Even pictures of inanimate objects, e.g. the graves of the Auliya if cause for shirk and kufr, will be forbidden.

- Q. Is it permissible for a woman to remove hair growing on her face?**

A. In fact, it is Mustahab (meritorious, an act of Sawaab) for her to remove facial hairs.

- Q. The only relatives of a man are his wife and one brother. His estate is quite substantial. His wife argues that she has been slaving for him for many many years and it is therefore only just that he should bequeath his entire estate to only her. The man argues that it is not proper to completely deprive his brother. Because of the constant nagging of his wife the man is now inclined to do as ordered by his wife. Some friends, however, advised him against such a measure as they say that it is against the Shariat. What is the Shariat's ruling in this case?**

A. It is haraam for the man to leave his whole estate to his wife. It is incumbent upon him to ignore the wishes of his wife and arrange for his estate to be distributed after his death in terms of the Shariat. His wife will inherit one-quarter of his whole estate (i.e. one-quarter of the balance remaining after paying the debts and bequests of the mayyit, if any), and the remaining three-quarters of the estate will be inherited by his brother.

- Q. I wish to make some comments about the activity of the Ulama. It is accepted that the Ulama do voice protests against things which they consider to be contrary to Islam. But I have noticed that their activity is always confined to vociferous verbal protest. While I agree that such protesting has results, I feel that the Ulama should do something practical about matters which are anti-Islamic. A typical example of such verbal protesting was during the move to get the film, "The Messenger", banned. The Ulama restricted their protesting to mere utterances. But, it was the concrete actions of non-Ulama bodies (bodies which "The Majlis" and the Ulama do not favour) which brought about the banning of the film. Please comment on this stand of the Ulama.**

A. Your comments really do not deserve any comment of the Ulama. However, due to the fact that there exists a popular misconception regarding the role and activity of the Ulama and because many unwary Muslims have been duped by modernist Muslims who seek to hoist themselves as Islamic leaders, regarding certain issues (the film question being one), "The Majlis" being the slave of Ulama, takes it upon itself to comment on the unfounded allegations made against the Ulama. In this regard, we shall single out as an example, the film issue which you have cited, for analysis so that the baseless allegations of the modernist bodies may be disproved and your mind cleared of your unfounded opinion about the Ulama. The scope of this column does not admit such a discussion. Therefore, we shall deal in detail with it elsewhere in this issue of "The Majlis".

Another fact which you must remember is that the prime duty of the Ulama is to safeguard the Deen of Allah Ta'ala on the academic level, i.e. to protect it from the bid'ah, kufr, shirk, baatil, dhalal, ilhad, and dahriyat which deviated people strive to introduce into Islam. This is the function of the Ulama. It is the function of the Ulama to engage in works of Ta'leem and Ta'allum. It is not the function of the Ulama to form committees to interview

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Questions and Answers (continued from Page 3)

government officials and draw up memoranda and organize petitions and form organizations of merriment and celebrations. The Ulama are the Heirs of Rasulullah (sallallahu alayhi wasallam). Hence, the closer an Alim is spiritually to Nabi-e-Kareem (sallallahu alayhi wasallam) the greater the resemblance of his methods and acts with those of Nabi (sallallahu alayhi wasallam) and the Sahaabah. It is not in accord with the high of Ilm which the Ulama don that they sit in gatherings and meetings of modernist bodies and organizations which operate along non-Muslim lines with discussions and consultations initiated by men devoid of knowledge, by men puffing away cigarettes, joking and laughing while discussing matters of Deeni concern and significance. The function of the Ulama envisages an approach to all problems and matters in a roohani light and not in the etiquette and style of Mr Chairman, Mr Advocate and Mr Doctor.

To this must be added: In spite of the basic function of the Ulama being Isláh, Ta'leem and Ta'allum the Ulama have branched off in other matters related to the Muslim community because of the gross incompetence and lack of essential Islamic knowledge of those Muslims who have grouped themselves in organizations under high sounding titles. Since modernists who are over-eager to proclaim themselves as community leaders and Islamic leaders, cannot be trusted with Islamic affairs due to their bátil beliefs, it has devolved upon the Ulama to widen the sphere of their activity in spite of their limited material resources. You may now read the true facts underlying the banning of the film, The Messenger.

lasted four hours. About 200 agents of the Nusairy regime were killed and wounded.

The state radio announced that the explosion was caused by an electricity fault, but many people were arrested, including some ministers, for interrogation. The ministers themselves had left the building when the explosion occurred.

MUJAHIDEEN EXPLODE AIRFORCE H.Q.

Damascus, 3rd September 1981:

The Mujáhideen exploded the Air Force Headquarters in Damascus killing more than 70 regime agents and wounding more than 100. Most were high ranking officers among whom were General A. Salama and Maj-Gen Hamdi. Only one Mujáhid was martyred.

Massive Russian attack repulsed

Reports emanating from the Balkh Province state that Russian troops launched a massive attack on the Mujáhideen stronghold in Marmol. The Mujáhideen defended valiantly and after 18 days fighting the enemy was repulsed. In the battle 12 Russian tanks were destroyed and 3 captured. Two helicopters were shot down and a large number of enemy troops were killed. Seven Mujáhideen were martyred and 26 wounded.

REMOVAL OF BODY HAIR

The Shariat decrees that it is Mustahab (meritorious — an act of sawáb) to remove all hairs from underarm and below the navel, once a week. On the fortieth day it is obligatory to remove such hairs. It is haraam to leave such hairs more than forty days on the body.

A Muslim carries out the commands of the Shariat because such commands are from Allah Ta'ala. Allah Ta'ala, The Creator, knows the reason and the wisdom underlying His Commands to us. The validity of a Divine Command is the only thing which should matter to a Mu'min, not the reason on which the Command is based. This is the demand of Imán.

Medical science offers some explanation for this Command. This explanation is given here in the hope that modern Muslims so much affected and awed by western technology and science will realise the truth of their Rabb's Commands and act in accordance.

The following which appears in "The Plain Truth" of September 1981, is an article explaining the horrors of venereal and other sexual diseases:

"While some of the diseases are almost entirely spread by sexual contact with infected persons some are also capable of being picked up by non-sexual contact.

Mollia (a sexual disease) is the result of an over-blooming yeast organism that normally lives harmlessly in the 'flora' of the genital region, especially in women.

The micro-organism causing trichomoniasis may live harmlessly in the genital flora of some person, but not others. Or it may suddenly flare up for some reason. This infection is estimated to occur in about three million Americans each year.

The Limits

The Shariat stresses much the observance of its limits. Regarding the observance of the limits of the Shariat, the Qur'an Shareef states:

"Those are the limits of Allah. He who transgresses the limits of Allah, verily, he has oppressed his soul."

The following episode will illustrate the importance which the Shariat assigns to the observance of the limits. In Nisaabul Ihtisaab it is said:

"A group of people left (their homes) in the style of hujjaaj for making ziyarat (visiting) of Baitil Maqdis. Umar (radiallahu anhu) accosted them and whipped them. He remarked: 'Do you wish to treat Baitil Maqdis (Musjidul Aqsa) as Musjidul Haraam?'"

THE SIGN OF A SHAIKH-E-KAMIL (QUALIFIED SHAIKH)

A shaiikh is one who has full knowledge and experience of spiritual ailments (amrádh-e-bátinah), attributes of vice and virtue (akhláq-e-razeelah and akhláq-e-hameedah), their characteristics (khawás) and their effects (ta'theerát). He should further be able to distinguish between their similarities and he must have perfect ability in devising plans and perscription for the acquisition of the attributes of virtue and the elimination of the attributes of vice. He has to be aware of the progress and retrogress of their attributes. He must be well versed in the hazards of the nafs and the shaitán, the intuitive senses and feelings pertaining to the angels and the Divine Being. He must be able to distinguish these various intuitive and extra-sensory feelings and perceptions. It is therefore imperative that the shaiikh of tareeqat be one who is qualified in this knowledge, be a mujtahid in this field and possesses natural ability and propensity. If he has acquired the Tareeq (Tasawwuf) by a mere self-study of books on Tasawwuf or by listening from others, he will destroy the mureed whom he is attending, because he will not be in position to correctly diagnose the various states of the mureed.

PICTURES

Hadhrat Ali (radialláhu anhu) said that he once invited Rasulullah (sallallahu alayhi wasallam). Rasulullah (sallallahu alayhi wasallam) arrived at his (Ali's) house, but on seeing a picture (of an animate object) in the house, he returned.

Once in the land of Shaam, Hadhrat Umar (radialláhu anhu) was invited to a feast, but rejected the invitation because of the presence of a picture. (Kanzul Ummaal).

Animal Skins

- *The skins of dead animals are najas (impure). Such skins are purified when all moisture has been expelled by means of drying in the sun or some other form of treatment.
- *Skins of animals slaughtered Islamically are taahir (pure) even prior to drying or treating.
- *Skins of haraam animals (e.g. lions, leopards, tigers, wolves, etc.) are taahir (pure) if such animals are Islamically slaughtered (thabab). However, the flesh of such animals is not purified by thabab.
- Skins of snakes, lizards, mice and similar small animals are not purified by any means.
- The above masá-il are according to the Hanafi Math-hab.

MAHR-E-FATIMI

To calculate the value of Mahr-e-Fátimi multiply 49.21 by the price of silver per troy ounce.

CHEESE — HALAAL OR HARAAM? OUR RETRACTION

In a previous issue of "The Majlis" we had contended that all cheeses containing the substance rennet are halaal. We had further claimed that such cheese will be halaal even if the rennet is extracted from animals slaughtered unIslamically (ghair-bazbooh). However, in the light of further study and information on the subject we have now to retract our earlier view and join with those Ulama, viz., Jamiatul Ulama of Transvaal, who maintain that cheese containing rennet of ghair-mazbooh animals is haraam.

Rennet is an extract usually derived from the mucous membrane of the stomachs of young calves. This substance is used in the manufacture of cheese. Our error in proclaiming cheese halaal was based on a misconception of the term rennet. The modern Arabic dictionaries consulted by us described rennet as *infahah* (). The cheese consumed by Rasulullah (sallallahu alayhi wasallam) and the Sahábah contained the substance *infahah* which at times was derived from animals not slaughtered in accordance with the Shariat.

Because Rasulullah (sallallahu alayhi wasallam) consumed such cheese the Ulama claim that cheese containing *infahah* from even ghair-mazbooh animals is halaal. On this point there is unanimity. The difference is based on the meaning of *infahah*. We had believed rennet to be *infahah*, hence we said that cheese containing rennet of ghair-mazbooh animals is halaal. Although the dictionaries describe rennet as *infahah*, rennet is not the *INFAHAH* spoken of in the Shariat. It is not the *infahah* which went into cheese manufacture in the days of Rasulullah (sallallahu alayhi wasallam). The definition of the *INFAHAH* of Nabi's (sallallahu alayhi wasallam) time is given in the Kitábs of the Shariat as follows:

"*Infahah* is that which is inside the stomach of the milk-drinking (calf). It (*infahah*) consists of milk. It is taahir (pure) according to Imám Abu Hanifah.

(Halbi Sharh Muniyatul Musalli)

"*Infahah* is that which is inside the stomach of the milk-drinking (calf, etc.) It consists of the constituents of milk. It is taahir according to Imám Abu Hanifah."

(Kabteeri)

"*Infahah* is an extract from the stomach of the goat-kid. It is thick like cheese."

(Qaazi Khaan)

"*Infahah* is extracted from the stomach of the milk-drinking goat-kid. It is yellowish and is squeezed out. Cheese is curdled with it."

(Raddul Mukhtaar)

"*Infahah* is a substance which is extracted from the stomach of the milk-drinking goat-kid. It is yellowish. It is soaked in milk. It curdles cheese."

(Taajul Uroos)

"*Infahah* is that which is in the stomach of the milk-drinking goat-kid and its like (e.g. calf). It consists of the constituents of milk. (It is the substance in the stomach) prior to the goat-kid (or calf) eating."

(Tahtaawi alaa Miraaqil Falaah)

From the foregoing references as well as other Shar'i sources it has become clear that *INFAHAH* which was used in cheese manufacture during the time of Rasulullah (sallallahu alayhi wasallam) was the substance extracted from the milk-drinking calf or goat-kid. It was not the stomach or part of it nor was it any substance processed from any part of the stomach. It was a ready and naturally prepared substance extracted from the stomach. If this substance is used in cheese then the cheese will be halaal notwithstanding the fact that it has been extracted from an animal slaughtered unIslamically. However, in today's cheese, the original *infahah* is not used. A substance prepared from the stomach and called rennet is used.

In the English language, rennet has two meanings:

- (1) "A mass of curdled milk found in the stomach of an unweaned calf or other animal used for curdling milk in making cheese."

(Oxford English Dictionary)

"The contents of the stomach of an unweaned calf or other animal."

(Webster's Third English Dictionary)

This definition of rennet is applicable to *infahah*. But this type of rennet is not used in cheese-manufacture nowadays. The description of rennet given above is the original *infahah* which was used during the time of Rasulullah (sallallahu alayhi wasallam) in cheese manufacture.

- (2) "A preparation of the inner membrane of the stomach used for this (cheese) or other purposes."

(Oxford English Dictionary)

"A preparation of the stomach of animals that is used for this (cheese) purpose."

(Webster's Third English Dictionary)

Rennet in this meaning is not *infahah* of the early times, and as such is not halaal. It is this type of rennet which is nowadays being used in cheese manufacture. The Department of Agriculture states in its booklet on cheese-manufacture in South Africa:

"Rennet — As a rule commercial rennet is used in cheesemaking to curdle milk. It is an extract usually derived from the mucous membrane of dried digestive stomachs (abomasum) of young calves. It contains rennin, and enzyme which has a very strong action on the casein of milk."

Rennet in this second meaning is obtained from animals not slaughtered Islamically. Such rennet (i.e. in the second meaning) is therefore haraam. And, cheese containing this haraam rennet is likewise haraam.

Besides animal rennet, an artificial or microbial plant rennet is also used in cheese-manufacture. This plant-rennet is halaal. In South Africa, to the best of our knowledge, there is only one cheese factory which uses plant-rennet exclusively. The factory is situated in Lichtenburg, Transvaal and markets its cheese under the name, ELITE. This cheese is halaal. The Jamiatul Ulama of Transvaal, has made a thorough inspection of the factory in Lichtenburg.

CONCLUSION:

ALL CHEESE IN SOUTH AFRICA BESIDES 'ELITE' BRAND CHEESE IS HARAAM.

And, Allah knows best.

AMERICAN MUSLIMS PROTEST

THE ISLAMIC CENTRE — WE PROTEST

In the most recent issue of the *Crescent* (a bi-annual magazine of the Islamic Center) Ala Hamoudi insinuated that the executive committee of the Islamic Foundation of Central Ohio has taken steps to *relocate the Islamic Center*. The relocation sites under consideration will be in areas totally inaccessible to Muslims. As we know the majority of Muslims, who attend Juma services at the center live near or in the area of the present location, and are mostly African-Americans. Moving the center to I-270 freeway would prevent Muslims from fulfilling their hard responsibilities of attending Juma services.

We view these covert actions by the executive committee headed by Hamoudi (why isn't the Imam in charge of the center, Imam means leader) as the final indignity unleashed by individuals *who are of the highest order of fussaqa and fujaar*. Some of them do not come to Juma services, some of them don't pray, they do not have beards, they are bereft of knowledge of the sacred Shariah of Islam. Since its inception this corrupt and illegal executive committee has staged a concerted effort to exclude from the center activities any Muslims that questions their false implementation of the Shariah.

According to the view of the executive committee of the Islamic Center the Shariah should only be utilized when it suits their western whims and fancies, and now it has been covertly acknowledged what this man Hamoudi and his cohorts of the executive committee are up to. The following are points that we as Concerned Muslims of Central Ohio would like the Muslim Community to ponder and act on so that our religion, Islam, will not be trampled on by Hamoudi and the executive committee.

The Ahle Sunna Wal Jamaat is a group in the United States of America consisting of Hanafi, Shaafi and Hanbali Muslims. The members of this group are staunch adherents of the Shar'i concept of Taqleed and is striving to assert the Sunnah of our Nabi (sallallahu alayhi wa sallam) in the U.S.A.

The following is their PROTEST against the machinations of the modernist Muslims of America.

The protest of the Ahle Sunna Wal Jamaat is reproduced here in full.

"The Mujlisul Ulama of South Africa endorses the protest of its American Muslim brethren of the Ahle Sunnah and make duaa that Allah Ta'ala establish them firmly on the Sunnah of our Nabi (sallallahu alayhi wasallam).

POINTS TO CONSIDER

1. *Selling of the Islamic Center*
Before the Islamic Center is sold the individuals who began the Wakf (the Assad Kumkumji — contact) must be contacted and told that the Wakf is being disposed of and above all can a Mosque be sold. Hamoudi's statement in the *Crescent* on Wakf is not a statement or fatawa on the Islamic fiqh of Wakf. He is not qualified in fiqh regardless if he is a Phd. or a Doctor of medicine. He is not a Doctor in Islam. This statement is the babblings of a western educated man who has absolutely no knowledge of Shariah principles. We as Muslims must find out who paid for the Islamic Center, was interest involved, do the members understand what a Wakf is, do you have to pay membership dues, do the members of the Islamic Center know that they will be a party to a heinous, haraam, and ugly sin if they do not question this man Hamoudi and the so-called executive committee? **DO NOT SELL THE ISLAMIC CENTER**
2. *Hamoudi's Statement*
Hamoudi's statement in the *Crescent* is a garbled

reply to some sincere Muslim who questioned his false authority. Hamoudi is wrong in his approach, content, and conclusion that he has purported on Wakf. He has no right to shove these totally un-Islamic actions and statements down the throats of the Muslim community. Hamoudi and the executive must go.

3. *Islam, Christianity, Judaism and the Islamic Center*
If the majority of the individuals who attend Juma services are indigenous Muslims who work in the Columbus inner city area where will they perform their Juma prayer? The executive committee members do not attend Juma they only come to the Center on Sunday and when a speaker like Marilyn Waldman comes to speak. If they move the center to I-270 the only time it will be open is on Sundays, and when these so-called Jewish Islamic scholars come to speak. Sunday is the christian day of worship and jews are no authorities of Islam studies. These actions are more blatant unislamic characteristics of this executive committee, they want to move out of the inner city so they can become more inaccessible to the Muslims who reside in the inner city and continue to meet on Sundays. Muslims should not meet only on Sundays and have jews speak to them about Sunnism and Shiaism. **WE PROTEST!** Do not try and change Islam into Christianity or Judaism.

4. *Membership, participation, contributions and Racial Discrimination in the Islamic Center*
Who is a member of the Islamic Center, many African-Americans contributed money and services to the Islamic Center, why aren't they considered as members? The constitution of the Islamic Center is haraam, paying membership dues is haraam, and what right does Hamoudi and the executive committee have to say who can be a member and who can't be a member. If an individual declares his Kalima Shahada can they exclude him from being a member. This is discrimination and the Muslim community knows that the majority of discrimination is perpetrated on African-American Muslims. **RACISM MUST GO.**

5. *Hamoudi, Shia, and the Illustrious Sunnah*
Hamoudi is a Shia, he has no right as a so-called president, and as a man of Bida to administer the affairs of Muslims who follow the Sunnah of our beloved Nabi, Muhammad (Sallallahu Alayhi was Salaam) Hamoudi must be removed!

6. *Imam and the Executive Committee*
We are astonished that this man Hamoudi gives a so-called fatawa or statement on Islamic fiqh and the Imam of the center says absolutely nothing. *In Islam the despository of Islamic Ilm rests with one learned in the knowledge of fiqh. Hamoudi knows nothing of fiqh, but the question is why did not Imam Al Aseer give his understanding of Wakf. WHY HAMOUDI?*

We also are concerned about Imam Al Aseer's status at the center, does he take orders from Hamoudi and this corrupt executive committee, we ask him to speak out on the selling of the Mosque, what is a wakf, is Hamoudi correct? **SPEAK TO US IMAM! WE WILL LISTEN!**

7. *The Islamic Center cannot be moved — Contact the Ulama*
The Islamic Center cannot be sold, moved or disposed of until the scholars of Islam around the world are contacted and a fatwa is issued on this subject. Until that time we encourage the Muslim community to attend Juma services at the Islamic Center every Friday at Dhur time.

ALLAHU AKBAR

ALLAHU KAREEM

ALLAHU ALAM

for covering themselves. Some of the children when asked, do not know what *salat* is, have never seen the *miswak* before, and are unaware of *istinja*. Men and women mix freely in meetings held only on "Sundays like the Christian Churches!" And when the adhan is called some people do not even respond to "Haya alasallah". They just sit or busy themselves in other useless ac-

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ILLEGAL ACTION OF IFCO

The following information is an attempt to expose the illegal activity and machinations carried out at the Islamic Center located at East Broad Street, Columbus, Ohio 43205.

This problem has escalated to the point where Muslims in the Columbus area are being discriminated against. This is done only because they seek to establish the truth. We, the Concerned Muslims of Central Ohio in the following case history of activities by the Islamic Foundation of Central Ohio (I.F.C.O.) hope to expose to the world, and detour their fussaqa and fujaar behavior.

Please ponder the following: In surah Taubah, Allah Ta'ala says:

"And, from every circle a group should issue forth to acquire knowledge of the Deen so that they may admonish their people upon their return. This (has been ordained) so that they abstain (from evil)."

Allah Ta'ala commands that from every community a group of Belivers should issue out in search of the knowledge of Deen — in search of that knowledge which will make man realise his obligations towards Allah — that knowledge which will impel man towards the acquisition of the Pleasure of Allah — the knowledge of the Sharia. For this very reason the Quran state:

TAFQAQ-QAHU FID DEEN
"Acquire Knowledge in the Deen."

CASE HISTORY: I F C O

A. PURCHASE OF ISLAMIC CENTER:

1. Was Ribaa involved?
2. The name, Islamic Center (not a masjid) is a cover for un-Islamic activities.
3. Sunday attendance stressed, not Juma'a.
4. Afro-American brothers contributed money, work, and services, but received no privileges.
5. Membership dues qualify privileges over and above Kalima Shahadah — Fussaqa can have priority over Mu'min. Most American Brothers can not afford these illegal dues, nor want to pay them. Do we have to pay to be a Muslim?

B. EXECUTIVE COMMITTEE, HEADED BY Ala Hamudi: (IFCO) Islamic Foundation of Central Ohio.

1. The committee has power over the Imam.

2. The committee has final say in matters to be proposed or desolved without accepting or in most cases ignoring the input of Muslims in the community at-large, unless under pressure of petition.
3. The term "Islamic" on the sign in front of the Center is misused because the building is not intended, (by decision of the committee) for all Islamic people or "Muslims". It is intended for some private concern and private, national preferences ("IFCO members only club"), which constitutes discrimination against indigenous Muslims, who would like to use the facility for good Islamic purposes such as: giving daw'ah; inviting Tabligh jamaats to come to the Center; establishing basic Islamic classes; but first and foremost, the establishing five salats per day and the encouraging of attendance at Juma'a services. If the five salats cannot be established with regular adhan, then at least the facility should be made available on a daily basis, instead of just on Fridays and Sundays.
4. A recent policy has been established to ban any Muslim, who opposes their fussaqa and fujaar methods, from attending Juma'a or any other activity at the Center. This is haraam!
5. Threats are made by the committee to interfere with the jobs or occupations of Muslims who disagree with them and seek to educate others on such incorrect practices.
6. There is a Communist — like prohibition on distribution of literature with the threat of having "fellow Muslims arrested!" even though the literature is based on Shariah or possibly because it is based on Sharia.
7. Ala Hamodi (committee president) is proposing to move the Islamic Center now to a location far away from those indigenous Muslims who attend Juma's services there. This move is not being made out of necessity, but for tax advantages and to remove themselves from those Muslims who constantly remind them of the Islamic practices they seek to escape from. *Their adoption of western ways has infected their families to the point that the women see no necessity*

Munasabat

MUNASABAT (CONGENIALITY) WITH THE SHAIKH

- Experience has proven that for gaining spiritual benefit (fuyūdhe-bātini), mutual munásabat (congeniality) between the Shaikh and Mureed is a natural condition.
- Normally benefit is dependant on affection which is the reality of natural congeniality (munásabat-e-fitri). Sometimes a Shaikh will refer a mureed to another Shaikh because of the lack of such munásabat between them. In doing so the Shaikh establishes either by deduction or kashf (inspiration from Allah Ta'ala) that the mureed has munásabat with a certain Shaikh. In this Path it is essential that munásabat exists between the Shaikh and Mureed otherwise the latter will not benefit. Such munásabat is the basis for acquiring benefit and passing on faith (spiritual grace) to the mureed.

Munásabat envisages that there exists between the Shaikh and Mureed compatibility and harmony to such a degree that the mureed discerns no rejection in his heart for any word or act of the Shaikh although he (the mureed) may be afflicted by mental disagreement it will not countenance any rejection for the Shaikh in the heart of the mureed. In short, harmony and compatibility are conditional for bay't. It is therefore essential to first inculcate munásabat. This need is imperative. In the absence of this essential condition, mujáhadát (strivings), riyádhát (certain forms of exercises designed to subdue the nafs), muráqabát (meditations) and mukáshafát (intuitive revelations) are all futile. In the absence of natural munásabat (tab'i munásabat), the mureed should endeavour to inculcate intellectual (aqli) munásabat, because benefit is dependant on it. For this reason, one should refrain from entering into the bay't contract as long as total munásabat is non-existent.

MODE OF BAY'T

The bay't is enacted by the Shaikh taking into his right hand the right hand of the mureed (diciple). If the group contracting the bay't is large, the Shaikh uses a length of cloth onto which each member of the group holds with his right hand. Ladies who contract the bay't do so from behind a screen. A mahram of the lady should also be present at the bay't ceremony. Hadhrat Aishah (radiallahu anha) said:

"*Rasulullah (sallallahu alayh wasallam) never touched the palm of a woman, but he would make the (pledge — bay't) for her. Upon having made the bay't he would say: 'Go! Verily, I have already made bay't with you.'*"

(Bukhari, Muslim Abu Dawood)

It is for this reason that in entering ladies into the bay't the Mashá-ikh do so verbally or by means of a cloth which is spread from the Shaikh to the lady behind the screen.

This is the method of bay't when in the presence of the Shaikh. Those who are not able to present themselves personally to the Shaikh could contract the bay't by means of letter or through the agency of a responsible and trustworthy person. This form of bay't is called Bay't-e-Uthmání. Rasulullah (sallallahu alayh wasallam) on the occasion of Bay't-e-Ridhwán made the bay't of Hadhrat Uthmán (radiallahu anhu) in his (Uthmán's) absence. On this occasion, Rasulullah (sallallahu alayh wasallam) placed his right hand on his own left hand and announced that he had made bay't of Uthmán (The bay't in absence of the mureed is therefore termed Bay't-e-Uthmání).

Nature of Bay't

The meaning of bay't (to sell) is inherent in bay't. Bay't thus implies that the mureed "sells" himself to the Shaikh. In other words he has sold himself to the Shaikh in preparation of akhám-e-záhirah and ah-kám-e-báatinah (i.e. to learn to give practical expression to the Law of Allah Ta'ala). The nature of this "sale" envisages that the searcher after the truth (tálib) should repose implicit trust and faith in his Shaikh. He should understand and accept that the advices and perscriptions, admonitions and prohibitions of Shaikh are all designed and motivated for his (the mureed's) spiritual well-being. The tálib shall not interfere or impede the diagnosis and perscriptions of the Shaikh. He should have implicit faith to such an extent that he should believe that in all the world there is none in his knowledge who can benefit him more than his Shaikh. In the terminology of Tasawwuf this conception of implicit faith in the Shaikh is known as wahdat-e-matlab (unity of purpose). Minus this conception, the ceremony of bay't is meaningless and of no benefit because congeniality (munásabat) with the Shaikh is an essential condition for isláh (reformation) of the nafs. The sign of the existence of congeniality (munasabat) between the Mureed and his Shaikh is that the heart of the mureed does not object to the respect, statements and acts of the Shaikh. Should any objection arise in the heart regarding the Shaikh, the mureed should grieve and feel

BAY'T

Bay't is a mutual pledge relating to the effort, arrangement, execution and adherence to the laws of A'mále Záhiri and A'mále Bâtini. This pledge is called Bay't-e-Tareeqat which has been in vogue by authoritative transmission from generation to generation from the earliest time of Islam. Rasulullah (sallallahu alayh wasallam) had enacted bay't of the Sahábah not only on Jihád, but on Islam and the adherence to the Ahkám (Laws in general) as well on practical deeds (A'mál). This is established by numerous ahádith. The following is one such hadith:

"*Auf Ibn Málik Ash-ja-ee (radiallahu anhu) said: We were with Nabi (sallallahu alayh wasallam), nine or eight or seven (of us), when he said: 'Will you not make bay't (pledge) to the Rasul of Allah (sallallahu alayh wasallam)?' We stretched our hands and enquired: 'On what shall we make bay't to you, O Rasúl of Allah (sallallahu alayh wasallam)?' He said: 'That you make the Ibádat of Allah; that you associate nothing with Him; that you perform the five Salát; that you hear and obey.'*"

(Muslim, Abu Dawood, Nisái)

On this occasion the bay't which Rasulullah (sallallahu alayh wasallam) took from the Sahábah was neither Bay't Imáni (Pledge of Imán) nor Bay't Jihádi (Pledge to wage Jihád). This hadith is categoric proof for the validity of the system of bay't in vogue by the Mashá-ikh of Tasawwuf. Like there are four Math-habs (Schools of Thought) in Fiqh, viz. Hanafi, Shafi, Málíki and Hanmabli, so too are there four schools of thought in Tasawwuf, viz., Chishtiyyah, Qáderiyyah, Naqshabandiyyah and Suharwardiyyah.

The founder of the Chishtiyyah Silsilah is Hadhrat Khwájah Mu-enuddin Chishti Ajmeri (rahmatullah alayh); founder of the Qaderiyyah Order is Hadhrat Shaikh Abdul Qádir Jiláni (rahmatullah alayh); founder of the Naqshabandiyyah Order is Hadhrat Shaikh Baháuddin Naqshabandi (rahmatullah alayh); and the founder of the Suharwardiyyah Silsilah is Hadhrat Shaikh Shahábuddin Suharwardiyyah (rahmatullah alayh).

depressed.

The external form of bay't is beneficial to the general public since it induces reverence and respect in them for the Shaikh. As a result, they readily accept the Shaikh's statements and are constrained to act accordingly. However, for the elite (khawás), i.e. the Ulama, bay't proves beneficial after a period has been spent in association with the Shaikh. By virtue of bay't a bond of sincerity (khulúq) is generated between the mureed and the Shaikh. The Shaikh considers the mureed to belong to him and the mureed considers the Shaikh to belong to him. There does not remain any suspense between them.

Shar'i Terms

The Technical Terms of Shariat and Tareeqat

The fountain of all Islamic teaching is the Qur'án and the Sunnat. The inception of this teaching was in the majlis (gathering) of Nabi (sallallahu alayh wasallam). It was the initial stage of Islam which was present in its headquarters. It had a confined number of adherents, hence all branches of Islamic instruction — Tafseer, Hadith, Fiqh and Tasawwuf — were imparted at one venue, the Madrasah of Nabi (sallallahu alayh wasallam). Separate departments did not exist. However, in this Madrasah of Nabi (sallallahu alayh wasallam) there was a permanent group of lovers of Allah and devotees of Rasulullah (sallallahu alayh wasallam)

who were at all times engaged in the purification of the nafs (sallallahu alayh wasallam) and the reformation of the batin by means of practical education. This group is called Asháb-e-Suffah. Later when Islam acquired an universal status, the Ulama of the Deen formulated the teachings of Islam into separate departments. Those who rendered service to the Knowledge of Hadith are called the Muhadditheen; those who undertook the responsibility of Tafseer are called the Mufasssireen. Those who specialized in Fiqh are called the Fuqahá while those who took custody of the department of Isláh Bâtini (purification of the nafs) became known as the Mashá-ikh Súfiyá. Hence, not a single one among the great authorities of former times ever divorced the Shariat from Tareeqat. On the contrary they also held Tareeqat in subservience to the Shariat.

All articles on Tasawwuf on these pages by
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STATEMENTS

In this regard Báyzid Bistámi (rahmatullah alayh) says:

"Do not be deceived if you see a performer of supernatural feats flying in the air. Measure him on the Standard of the Shariat — how he adheres to the limits of the Commands of the Shariat."

Hadhrat Junaid says:

"All avenues besides the strict following of Rasulullah (sallallahu alayh wasallam) are closed to mankind."

Hadhrat Núri says:

"Do not venture near to one who lays claim to a condition which brings about transgression of the limits of the Shariat."

Hadhrat Khwájah Naseeruddin Chirághe Deh-

THE SHARIAT

SHARIAT, TAREEQAT, HAQEEQAT and MA'RIFAT

The whole combination of the teachings imposed by Islam is known as the Shariat. Both sets of acts, viz., A'mále Záhiri and A'mále Bâtini, are included. In the terminology of the Mutaqaddimeen (the early authorities of the Shariat) the term Fiqh was synonymous with the word Shariat. Thus Imám A'zam Abu Hanifah (rahmatullah alayh) defined Fiqh as follows:

"*The recognition of that which is beneficial and harmful to the nafs.*"

Later, in the terminology of the Muta-akh-khireen (the later authorities of the Shariat) the word Fiqh was used for that branch of Islam which related to A'mále Záhiri while that branch which dealt with A'mále Bâtini became known as Tasawwuf. The ways or methods of acquiring the A'mále Bâtini are called Tareeqat.

The reformation of the A'mále Bâtini brings about spiritual lustre and glitter of the heart to which is revealed, in consequence, certain realities (haqá-iq-e-kauniyah) pertaining to tangible and intangible occurrences especially virtue and vice; as well as certain realities (Haqá-iq-e-lláhiyyah) pertaining to Divine Attributes and Acts especially related to affairs between Allah and servants. These revelations (makshúfát) are known as Haqeeqat. The process of these revelations (i.e. inkisháf) is called Ma'rifat while the Saint of Inkisháf is known as a Muhaqqiq and Arif.

All the aforementioned relates to the Shariat. The notion that the Shariat and Tareeqat are entities apart — this notion has gained prominence in the public — is totally false and baseless. Now that the nature and reality of Tasawwuf and Sulúk has become clear, it will be understood that in regard to Tasawwuf:

*Kashf (inspiration and revelation) and karámat (miracles) are not necessary.

*It does not promise success in the worldly affairs.

*It does not assert that one's work will be achieved by means of ta'weez and potions; nor does it claim that one will be successful in court cases by means or dua.

*It does not promise increase in one's earnings nor does it promise cure from physical ailments.

*It does not foretell future events.

*It does not contend that the diciples reformation will be achieved by the spiritual focussing of the Shaikh. Extra-normal operation is not necessary to Tasawwuf.

*It does not contend that the one who trods this Path will not be afflicted by even the thought of sin nor does it claim that the mureed will automatically (without effort) engage in Ibádat.

*It does not say that it increases one's memory nor does it promise the creation of such a bātini state which at all times engulfs the mureed in spiritual exhilaration.

*It does not promise the state of total self-annihilation — that one is not aware even of one's presence.

*It does not promise the experiencing of states of ecstasy and spiritual effulgence in Thikr and Shaghl (spiritual exercise) nor does it claim that one will see beautiful dreams and wonderful visions.

All these are not the aim of Tasawwuf. The purpose is the Pleasure of Allah Ta'ala. This then, should be kept in sight.

Need for Shaikh

It has always been in the Divine Scheme of things that perfection cannot be attained without an ustád (expert instructor). Thus when one is endowed with the guidance to enter into the Road of Tareeqat, one should search for an Ustad of Tareeqat so that one may reach the true goal through the medium of the graceful instruction and auspicious companionship.

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OF SUFIYA

lawi (rahmatullāh alayh) says:

"Obedience to Rasullāh (sallallāhu alayh wasallām) is imperative. Such obedience is essential in word, act and intention because love for Allah Ta'ala is not possible without obedience to Hadhrat Muhammad Mustafā (sallallāhu alayh wasallām)."

Khwājah Mueenuddin Chisti (rahmatullāh alayh) "He who adheres to the Shariat, executing its commands and refraining from transgressing it, progresses in spiritual rank, i.e. all progress is dependent on adherence to the Shariat."

Hadhrat Hakimul Ummat (rahmatullāh alayh) says in Ta'limuddin:

"Whoever acquires the wealth of Wusūl (Attainment — having attained the Love of Allah) has acquired it by virtue of following the Sunnat."

*"O my heart! If you desire to undertake this sojourn
Hold on to the garment of the guide
Whoever trod the Path of Love without Companion
His life passed by without attaining love."*

Hadhrat Hakimul Ummat (rahmatullāh alayh), therefore says:

"What! Has anyone attained perfection by only books? It is simple to understand that one cannot become a carpenter without sitting in the company of a carpenter; one cannot become a tailor without the companionship of a tailor; one cannot become a calligraphist without the company of a calligrapher. In short, one cannot attain perfection or become an expert without the companionship of an expert."

The companionship of a pious man will induce piety in you. Similarly, the companionship of an evil man will induce evil in you. He who searches for association with Allah Ta'ala, has to acquire the association of the Auliya-e-Kiram. A short while spent in the companionship of Auliya is nobler and superior to a century of even unostentatious obedience. Companionship with the pious for even a moment is superior to a century of zuhd (abstention) and tā'at (obedience).

A qualified Shaikh (of Tareeqat) by virtue of his insight and experience discerns the reality and if one is connected to such a Shaikh, he informs one of the errors and pitfalls. The mureed is thus saved from dangers. Assuming that the Sālik (one who treads the Path of Tasawwuf) because of intelligence and correct understanding discerns the pitfalls, then too, he will not attain tranquility and peace of mind because of inexperience. He will remain perplexed. And, perplexity impedes the attainment of the goal.

This then is the duty of the Shaikh's office. More than this is not his responsibility. Nevertheless, in kindness he performs another function as well. In realising the goal or the initial stage of the goal or in eliminating an evil attribute, the searcher of the truth undergoes great stress and difficulty although repeated subjection to such difficulty finally becomes transformed into ease. But, the Shaikh sometimes, as a favour, devises a scheme which eliminates the difficulty from the very inception.

This is a brief exposition for understanding. The need for a Shaikh is felt and understood once one commences in the Path and systematically informs the Shaikh of one's particular conditions and at the same time following his advice and instructions. Furthermore, such total obedience is possible only if one has full trust and confidence in the Shaikh — fully submitting to him. At that time one will actually feel and realize that it is not possible to attain the goal normally without a Shaikh."

RECOGNIZING THE SHAIKH

Shaikh Ibn Arabi (rahmatullāh alayh) briefly summarizes the signs of a Shaikh-e-Kāmil (the perfect and qualified Shaikh) to be three:

1. Deen resembling the Deen of the Ambiyā.
2. Prescribing like the physicians.
3. Management and control like that of kings.

The exposition of the above summary is as follows:

1. He should possess the necessary knowledge of the Deen which he acquired by either academic pursuit of such knowledge or from companionship with the Ulama-e-Muhaqqiqeen.
2. He must be a deputy (Khalifah) of a Shaikh-e-Kāmil attached to an authentic Silsilah.
3. He should be uprighteous and pious.
4. He acquired spiritual benefit by remaining for an adequate period of time in the company of the Shaikh. Such "companionship" is either by means of letter-communication or by physical presence in the association of the Shaikh.
5. The people of knowledge (i.e. the Ulama) hold him in high esteem and refer to him.
6. The effect of his companionship (suhbat) is increase in the desire for Akhirat and Divine love as well as detestation for the love of the world.

7. The majority of his mureeds are followers of the Shariat. Their conditions conforming with the demands of the Shariat.
8. He is devoid of greed and desire (for worldly gain and benefit).
9. He engages in thikr and devotional practices.
10. He does not leave his mureeds unfettered, but reprimands them when the need arises. He treats everyone according to their respective abilities.

The one in whom these attributes exist is worthy of being a Shaikh and he should be considered a wonderful alchemy. His companionship and service to him are in fact priceless treasures. Once these attributes of perfection are found in a Shaikh, one should not be concerned about karāmat (miracles), and kashf (inspiration). It is not necessary that he be one who has wholly divorced himself from all mundane activity.

TASAWWUF — ITS NEED

It is clear that Tasawwuf is not contrary to the Deen, but is in fact a branch of the Shariat, its need is evident. Hadhrat Hakeemul Ummat (Rahmatullāh alayh) states in the introduction of Haqaeqatut Tareeqat:

"After rectification of beliefs and external acts it is fardh (compulsory) upon every Muslim to rectify his esoteric acts. Numerous Qur'anic āyat and innumerable ahādith narrations explicitly indicate the fardhiat (compulsion) of this. However, most people of superficial understanding are neglectful of these because of their subservience to lowly desires. Who is not aware that the Qur'an and the Ahādith are explicit regarding the significance of zuhd, qanā'at, tawādhū, ikhlās, sabr, shukr, hubbe ilāhi, ridhā bil qadhā, tawakkul, tasleem, etc., while at the same time they emphasise the acquisition of these noble attributes? And, who is not aware that the Qur'an and Ahādith condemn the opposites of these noble qualities, viz., hubbe duny, hirs, takabbur, riya, shahwat, ghabd, hasd, etc., and have warned against them? What then is the doubt in the fact that the noble qualities have been commanded and the bestial traits have been prohibited? This is the actual meaning of reforming the esoteric acts. This is the primary purpose of Tareeqat. It being fardh is undoubtedly an established fact."

In Tareequl Qalandar, he says:

"All the authentic principles of Tasawwuf are to be found in the Qur'an and Ahādith. The notion that Tasawwuf is not in the Qur'an is erroneous. Errant sufis as well as the superficial Ulama (Ulama-e-khushq) entertain this notion. Both groups have misunderstood the Qur'an and Ahādith. The Ulama-e-Khushq claim that Tasawwuf is baseless since they believe that the Qur'an and Ahādith are devoid of it while the errant and transgressing (ghāli) sufis assert that in the Qur'an and Hadith are only the exoteric (zāhiri) laws. Tasawwuf, they say, is the knowledge of the bātin (esotericism). According to them — Na'uthu billāh — there is no need for the Qur'an and the Hadith. In short, both groups consider the Qur'an and Hadith to be devoid of Tasawwuf. Thus, in conformity with their opinion, one group has shunned Tasawwuf and the other group has shunned the Qur'an and Hadith."

TA'LEEM

TA'LEEM (INSTRUCTION) AT THE TIME OF BAY'T

Certain instructions are given to the mureed at the time of bay't. Firstly, is the qadhā (fulfilment) of Salāt and Fasts which were omitted. The qadhā should be executed by performing along with each daily Salāt a Qadhā Salāt of the same time, e.g. along with the Adā Maghrib Salāt, a Qadhā Maghrib Salāt should be made. During Ishā, the Witr omitted should also be made. In making the qadhā only the Fardh and Witr are made. It is however preferable to perform a number of Qadhā Salāt collectively at one time or in a single day, e.g. the Qadhā Salāt of several times or of several days. In this way quicker discharge of the obligation takes place.

(2) Discharging any monetary obligations of others if one is liable for such obligations. Such discharge is either by making the due payment or by obtaining the pardon of the one whose right is involved.

(3) Fully guarding the eyes, ears and the tongue; total abstention from haraam and mushtabah (doubtful) wealth; appearance and dress to be in conformity with the Sunnat; total abstention from innovation and un-Islamic customs and practices on occasions of happiness and sorrow; to refrain from unlawful methods in all affairs; to constantly bear in mind not to harm anyone by means of one's hand or tongue; not to hurt anyone; refraining from association; meeting only according to need; and abstaining from unnecessary conversation.

(4) Constantly maintaining the thikr of Kalimah Tay-hibah, i.e. while walking, sitting, reclining and laying down. The way to do this is to continuously engage in reciting.

Lā ilā ha il-lā-lāh

After reciting: it a few times, the words, Muhammadur

TASAWWUF and the QUR'AN

Both external (zāhiri) and internal (bātinī) acts and duties are commanded in the Qur'an. Thus the Qur'an while commanding Salaat and Zakaat:

"O People of Imān! Establish Salaat and give Zakaat", also commands Shukr (gratefulness):

"And be grateful unto Allah".

At one place is to be found:

"Fasting has been decreed upon you", and

"Upon mankind is the Hajj of the Bait for Allah." while at another place is to be found:

"He (Allah) loves them (Mu'mineen) and they love Him." and:

"Those who have adopted Imān are most ardent in the love of Allah."

Similarly, along with:

"When they stand for Salaat, they stand half-heartedly",

is to be found:

"They show people (i.e. they perform Salaat in riya).".

The Qur'an, like it reprimands and condemns the defaulter of Salāt and Zakāt, states the evil of pride and vanity (takabbur and ujub).

The same applies to the Ahādith. Like the chapters of Salāt, Saum, Ba'y (trade and commerce), Nikah (marriage), Talaaq (divorce) are to be found, so too do the chapters of riya takabbur, etc. exist. No Muslim can refute the fact that like the a'māla zāhirah are Divine commands so too are the a'māle bātinah. "Establish Salaat and pay Zakāt" are positive commands just as "Adopt sabr and shukr" are positive commands. Like the āyat, "Fasting has been decreed upon you", establishes the Shar'i nature of Fasting, the āyat, "Those who have Imān are the most ardent in the love of Allah," establishes the Shar'i nature of Love for Allah. On closer examination and reflection it will be realized that all the a'māle zāhirah are designed for the reformation of the a'māle bātinah. The purification of the bātin (the heart and soul of man) is the aim and the basis of najāt (salvation in the Akhirat) while the despoiling of the bātin is the cause of destruction.

Allah Ta'ala declares:

"Verily, he who has purified the nafs has attained victory, and he who has despoiled it has lost."

"That Day (of Qiyāmat) neither wealth nor sons will benefit (anyone), but that person who comes to Allah with a reformed heart (will attain success)."

The first āyat asserts victory as being the consequence of the purification of the bātin while the second āyat negates the utility of wealth and sons in the absence of a reformed heart. Imān and Aqā'id (Articles of Faith) on which pivots the acceptance of all a'māl (actions), are conditions of the heart (i.e. the bātin). It is manifest that a'māl are designed for the perfection of Imān. It is therefore clear that the original purpose is the reformation (islāh) of the heart by virtue of which man is ushered into the Divine Court of Acceptance and attains the lofty spiritual ranks. This is precisely known technically as Tasawwuf.

Rasullāh. (sallallāh alayhi wasallām), should be added.

(5) After every Salāt, recite Ayatul Kursi followed by Tasbeeh Fātimi, i.e. 33 times Subhāhallah; 33 times Athamdulillāh; and thirty four times Allāhu Akbar. If time affords then recite after Zuhr, Maghrib and Ishā one Tasbeeh (100 times) the third Kalimah.

(6) After Ishā Salaat, at the time of going to bed engage in muhāsabah (self-reckoning) and murāqabah-e-maut (contemplating death).

(7) Consider yourself to be the most inferior so much so that if you observe with your own eyes another indulging in the worst of vices then too you shall not despise him/her, nor shall you consider yourself nobler than him/her. On the contrary one should fear and bear in mind that it is very possible that the perpetrator of the vice may resort to sincere taubah and become a person of high piety while the one who had despised the sinner become ensnared (Allah forbid!) in the meshes of the nafs and shaitān and be diverted from Ibādāt and obedience. One has no, certainty regarding one's end. One, therefore, has no basis for regarding another with contempt.

N.B. This instruction, No. 7, is the first step in Sulūk. Without taking this step, the Path of Tasawwuf remains closed.

BENEFITS OF SUHBAT

The benefits of association with a Shaikh-e-Kāmil are manifold. Among such benefits are:

1. The noble and lofty qualities of the Shaikh slowly devolve into the mureed.
2. Even if one is not totally reformed, one will have gained the ability to discern and recognize one's faults.
3. The mureed follows the Shaikh in character and habit.

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4. Attainment of joy and pleasure in thikr and ibádat
5. Increase in courage.
6. The obtainal of clarification and contentment from the Shaikh in the event of spiritual condition settling over the mureed.
7. The mureed will discern his own spiritual condition which becomes manifest from the talks of the Shaikh, such talks being the essence of the masá'il.
8. Increase in the desire to practice virtue.
9. The mureed's ability becomes manifest to him.
10. Love for Allah Ta'ala increases.
11. Quick remedy for spiritual ailments.
12. Obtaining the duá of the Shaikh.
13. Elimination of doubt and uncertainty as a result of the Núr emanating from the heart of the Shaikh. This Núr has its effect on the mureed. Spiritual darkness is dispelled by this Núr. The reality of all things thus becomes manifest. There are degrees regarding the efficacy of this Núr depending on the degree of fertility of the disposition of the mureed. One of high and noble disposition can attain the full beneficial effect on this Núr by merely looking at such Shaikhs of perfection. In such cases the mureed attains spiritual progress and ranks without even physical association with the Shaikh.

Nature of Tasawwuf

The department of the Shariat relating to a'mále bátini (esoteric acts or states of the heart) is called Tasawwuf and Sulúk; and, the department of the Shariat relating to a'mále zâhiri (exoteric acts or physical acts) is called Fiqh. The subject matter dealt with by Tasawwuf is taht-heebe akhlâq or the adornment of character while the motive of this branch of the Shariat is the attainment of Divine Pleasure. The method of acquisition of this Divine Pleasure is total obedience to the commands of the Shariat.

Tasawwuf in fact is the ruh (soul) and state of perfection of the Deen. Its function is to purify the batin (the heart) of man from the lowly bestial attri-

butes of lust, calamities of the tongue, anger, malice, jealousy, love of the world, love for fame, niggardliness, greed, ostentation, vanity, deception, etc. At the same time it (Tasawwuf) aims at the adornment of the heart with the lofty attributes of repentance, preserverance, gratefulness, fear of Allah, hope, abstention, tauheed, trust, love, sincerity, truth, meditation, reckoning, contemplation, etc. In this way, attention towards Allah Ta'ala is inculcated in man. This is in fact the purpose of life. Tasawwuf or Tareeqat is therefore not at all negatory of the Deen and Shariat. On the contrary it is incumbent for every Muslim to become a Sufi (one who follows the path of Tasawwuf Minus Tasawwuf, a Muslim cannot truly be described as a perfect Muslim.

MAKRUH

MAKRUH in the terminology of the Shariat consists of two classes, viz. Makruh Tahrimi and Makruh Tanzihi. Makruh Tahrimi is an act which is forbidden. Its commission is sinful. Makruh Tanzihi is an act which although detestable, is not forbidden. Its commission is not sinful. But, constant and habitual commission of Makruh Tanzihi acts will transform the Makruh Tanzihi into Makruh Tahrimi.

10th MUHARRAM

In some quarters there exists a misconception about the cause for the auspiciousness of the Day of Ashúra (10th Muharram). Some people are of the opinion that the 10th Muharram has been appointed a sacred day in Islam because of the shahádat (martyrdom) of Sayyiduna Hadhrat Imám Husain (radialláhu anhu). However, this is not so. Allah Ta'ala chose, in fact, the sacred day of Ashúra for the shahádat of Hadhrat Imám Husain (radialláhu anhu), thereby enhancing his status.

The Day of Ashúra was of great significance to even the previous Ummats. Many great events took place on the 10th Muharram. Qiyámat will take place on the 10th Muharram.

When Rasulullah (sallallahu alayhi wasallam) came to Madinah Shareef he found the Jews fasting on the Day of Ashúra. Upon making enquiries, Rasulullah (sallallahu alayhi wasallam) was informed that on 10th Muharram, Nabi Músa (alayhis salám) and Bani Isráeel attained freedom from Fir'ón and on this day Fir'ón with his legions were drowned in the Red Sea. Rasulullah (sallallahu alayhi wasallam) said:

"I am more entitled (to commemorate this event of Músa than you."

Rasulullah (sallallahu alayhi wasallam) then fasted on the 10th Muharram. This event establishes that the Day of Ashúra was observed as a day of significance long before the Shahádat of Hadhrat Imám Husain (radialláhu anhu).

Inheritance of the unborn

The Shariat makes provision for the inheritance of the unborn child of the mayyit (deceased) as well. If a man dies leaving a pregnant wife, the Shariat advises that the distribution of the estate be delayed until the birth of the child. This is the simplest and best course to follow because the child may be a boy or a girl. Furthermore, the shares of certain inheritors may alter or be cancelled depending on whether the child is a boy or a girl. The correct and final distribution of the estate is, therefore, possible only after the birth of the child.

If the heirs, however, insist upon immediate distribution then a partial distribution of the estate could be made. In this event the unborn child will be assumed as a boy and the distribution will take place on this basis. If the child is a girl a re-allocation of shares will take place. This is illustrated in the following examples:

- (a) Zaid died leaving behind a pregnant wife, his mother and two sisters.
The unborn child is assumed to be a boy. The shares will be:
- | | |
|-------------|---|
| Wife | : one-eight of the estate |
| Mother | : one-sixth |
| Unborn son | : Balance of the estate to be held in trust. |
| Two sisters | : Deprived. They do not inherit in this case. |

If the child happens to be a girl, the division will be as follows:

- | | |
|-------------|-------------------------|
| Wife | : one-eight |
| Mother | : one sixth |
| Daughter | : half the estate |
| Two sisters | : Balance of the estate |

- (b) Amr died leaving as his heirs the following:
A pregnant wife, a grand-son (i.e. son's son), a daughter and father.
The unborn child is assumed to be a boy. The shares will be:
- | | |
|-------------------|---|
| Wife | : one-eighth |
| Grand-son | : deprived |
| Father | : one-sixth |
| Son and daughter: | : Balance of estate with the son obtaining twice as much as the daughter. |

If the child happens to be a girl, the distribution will be as follows:

- | | |
|---------------|--|
| Wife | : one-eighth |
| Father | : one-sixth |
| Two daughters | : two-thirds |
| Grand-son | : balance of estate. (if the grand-son has sisters, he will share the balance with his sisters, himself receiving twice the amount of a sister). |

DEBT — NO ABSOLUTION

The Shariat lays the greatest of emphasis upon the payment of debt. There is no absolution for debt if the creditor does not voluntarily exonerate the debtor. The haqq (right) of the creditor to demand payment will endure right into the Akhirat. In this regard Rasulullah (sallallahu alayhi wasallam) said:

"The person of a right has a hand and a tongue."

The meaning of this Hadith is that the person of a right (a creditor in this case) will always retain his right of pursuing the debtor and demanding payment. This right can never be annulled by any man-made law as is the case in various systems of law formulated by man. Among such means by which a debtor is entitled (by man-made law) to escape payment of debt are the insolvency and company laws of the capitalist world. In term of man-made laws the insolvent is absolved of his debt after being declared insolvent and disposal of his assets. Creditors no longer possess the right to claim from the debtor. A debtor after having been rehabilitated in terms of the man-made laws in vogue cannot be called on to pay his past debts no matter how many millions he may be owning. According to the Shariat this is an unjust set-up which is not lawful.

A debtor may also go scott free if his assets are registered in the names of a company which according to western law is a legal entity apart from its shareholders. The Shariat on the other hand, does not accept this fictitious system. While the man-made company laws absolve the shareholders from the debts of the 'company' the Shariat of Allah Ta'ala holds them responsible for such debts. The assets of the company in terms of western law are not the private property of the shareholders, but according to the Shariat, such assets belong to the shareholders who are the real owners. If a debtor has private or personal debts and cannot or refuses to pay, his creditors cannot claim his share of the assets in a company in which he happens to be a shareholder whereas the Shariat orders that the Islamic Court will be entitled to claim such assets on behalf of the creditors for the personal debts of the shareholder.

The above set-up is extremely unjust and in diametric conflict with the Shariat. A man may be owing creditors and be in possession of substantial assets, but because such assets were registered in the names of a fictitious entity, viz. a company, the law of man debars creditors from claiming such assets. An Islamic Court will not consider the name in which the asset is registered. It will determine who the actual owner of the asset is.

The Qádhi (Shar'i judge — or the Islamic Court) after declaring a person insolvent will sell the assets of the debtor in a certain prescribed manner, and not in the haphazard and unjust way in which western law disposes of a man's assets for a negligible value. According to the Shariat, the Islamic Court is not entitled to sell the insolvent's assets for a price less than the fair market value (thamanul mithl). The creditors who demand that the insolvent's assets be disposed of for a song (as is the prevalent practice) will be responsible for the loss which is the amount below the fair market value. Such loss in value will be for the account of the creditors.

After having justly sold the assets of the insolvent, the Qádhi will distribute the proceeds of the sale proportionately among the creditors of the insolvent. However, this proportionate distribution is not in full and final settlement of the debts of the insolvent. He is bound to pay whenever he is by the means. The insolvent will be entitled to trade and generally contract and transact after his assets have been sold to pay his creditors. Unlike in western law, there is no need for him to apply for rehabilitation nor does he have to wait a prescribed period for automatic rehabilitation. He will be free to trade. But at the same time his creditors will be Islamically entitled to pursue him and claim their outstanding debt.

The Qádhi is entitled to restrain the insolvent even after having sold his assets from indulging in extravagance and to attach any new assets he acquires and sell same to pay the debts which were incurred prior to insolvency.

THE DEBTOR

The Muslim who is in debt and is unable to pay or has been declared insolvent should always bear in mind the following important demands which the Shariat places upon him:

- *Inability to pay, insolvency and voluntary surrendering of one's estate do not cancel the debt. The debt will remain his liability right into the Akhirat where the creditors will be entitled to demand payment. The a'mál-e-sálihah (virtuous deeds) of the debtor will be made over to the creditors in lieu of their right over the debtor. If the virtuous acts of the debtor are insufficient to compensate for the earthly debt then the sins of the creditors will be loaded on him.
- *Rasulullah (sallallahu alayhi wasallam) will, on the Day of Qiyámah, demand on behalf of the non-Muslim creditors of Muslims. Nabi (sallallahu alayhi wasallam) will be aligned against the Muslim debtor in this matter of debt.
- *The debtor is not permitted to indulge in luxury and extravagance if he is unable to pay his creditors. He is allowed by the Shariat to spend of his earnings only on his bare necessities. All surplus (i.e. in excess of his bare necessities) money must be paid to his creditors.
- *If the debtor is unable to pay his creditors, he is not permitted to own three sets of clothing. The maximum he can have under these circumstances is two sets.
- *The debtor should at all times have a sincere niyyat (intention) of fully paying his debts. Insha'Allah, Allah Ta'ala will then placate his creditors on the Day of Qiyámah if the debtor had died without being able to liquidate his debts.

Makrúh Acts

The following are some of the Makruh (not permissible) acts of Salát:

- *Deliberate omission of a Sunnat act.
- *Performing Salát with the elbows exposed.
- *To wear a cloth around the head in such a way that the centre of the head remains exposed.
- *Fiddling with one's garments.
- *To end the recital of Qirát while going into Ruku'.
- *To omit a Surah between short Surahs.
- *To divert the fingers and toes away from the Qiblah.
- *To open the mouth while yawning. If yawning cannot be restrained, the mouth should be covered with the hand.
- *To close both eyes as a normal practice.
- *For no valid reason to make Sajdah on only the forehead.

It is not permissible to do the above acts during Salát. However, commission of these Makruh acts will not invalidate the Salát, but will reduce the thawáb (reward) of the Salát.

THE ULAMA AND BANNING OF THE FILM

Some baseless allegations have been made and are being made against the Ulama by those who are inimical to these Standard-Bearers of Islam. The allegations which have prompted the article which follows on this page appear in part in the Questions and Answers columns. If this was the view of a solitary person, we would not have bothered to vindicate the stand and the work of the Ulama whose servant "The Majlis" is. However, it has become clear to us that the modernist bodies which are so antagonistic toward the Ulama at times go out of their way to dupe the unwary ones that the Ulama have done nothing and are doing nothing in defense of the Deen which is their first responsibility. In this direction the matter of the banning of the film, *The Messenger* has been singled out by the modernists. Attempts have been made to show to the Muslim public that the blasphemous film was banned as a result of the efforts (sic!) of the modernist organizations. These bodies have tried to convey the impression that the Ulama made no contribution towards this end when in ACTUAL FACT the banning of the film was the consequence of the efforts of ONLY the Ulama. The true facts underlying this effort of the Ulama were never told because such efforts were not for obtaining public, acclaim, but were motivated to attain the Ridhaa (Pleasure) of Allah Ta'ala. We, shall, however, now outline the true facts to dispel the baseless claims of those who have jumped onto the Wagon of the Deen for ulterior motives of self-aggrandizement.

Modernist bodies, of which ICSA and CIT are the prime culprits, have attempted to extract riyaa (ostentation) capital out of the banning of the sacrilegious film, *The Messenger*. Both these organizations contributed negligibly in the achievement of securing the banning of the film. In fact, they had initially adopted a lukewarm stand, but were later caught up in the whirlpool of strong protests headed by the Ulama. It was the vehement opposition of the Ulama to the film which subdued the modernist bodies and caused them to offer support for the call to ban the film. But, once the film was banned they sought to steal the limelight by claiming that the banning was the result of their efforts. We thus found that ICSA in a pamphlet claiming that the banning of the film was "in consequence" of its "stand". The Transvaal body, CIT too made a similar claim in its report. But the true attitude and true stand of these bodies will be discerned from the following letters written by them.

Extracts from a letter which the CIT wrote to Ster Films

"Further to our letter of 16th September, 1975, we deeply regret to inform you that, there has been a misunderstanding on our part . . . However, we are happy to be advised by the Managing Director of Ster that the film does not portray Quin as Muhammad (P.B.U.H.) but as Hamza and there will be no visual portrayal of Muhammad (P.B.U.H.) at all".

We pray that we will be forgiven for the misunderstanding and for the taking up of your precious time."

What force and haqqāniyat can the "protest" of such a group be? How sincere was the later protest of CIT against the film? When Ster Films informed the CIT that Rasulullah (sallallahu alayhi wasallam) was not being "visually" portrayed and that it was only Sayyiduna Humzah (radiallaahu anhu) who was being visually depicted by the actor, Anthony Quinn, the CIT rushed to apologise and begged to be "forgiven". The immoral portrayal by kuffaar of Hadhrat Humzah (radiallāhu anhu), the illustrious uncle of our Nabi (sallallahu alayhi wasallam), one of the top-ranking Sahābah, is tolerable to the CIT. In fact it is so tolerable that CIT was constrained to hastily beg the forgiveness of Ster Films, an institution which according to Islam is immoral and haraam from top to bottom, inside and outside. Yet, later on CIT was quick to jump onto the bandwagon claiming that it was responsible for the banning of the film.

The same argument is applicable to ICSA. In the beginning this body fully agreed to view the film, whereas the Ulama objected outrightly. In a letter to Ster Film, ICSA stated:

"May we suggest that a suitable date be arranged for a preview of the film so that our council may invite our leading officials and Theologians to attend, either in Johannesburg or Durban."

It was at a very late stage that ICSA for some peculiar reason "resolved" "after much deliberation" that the "film was sacrilegious". It took them months and "much deliberation" to recognize what is Islamically and Imanically self-evident. This realization we contend was the consequence of the firm, honest and uprighteous protests of the Ulama and those who have the honour

of Rasulullah (sallallahu alayhi wasallam) at heart.

The feeble and flabby organized "protests" of the modernists "after much deliberation" and "tabling" at meetings were devoid of any Imānic force, hence it made no impact on the Directorate of Publications and the Committee appointed to examine the film. The film was banned as a result of the protests of the Ulama — protests which were not organized "after much deliberation", but which sprang from the innermost recess of the Mu'min's heart. The protests of the Ulama were spontaneous acts stirred up by the revulsion of immoral insult being levelled against Rasulullah (sallallahu alayhi wasallam) and his illustrious Sahaabah by the haraam film. The protests of the Ulama were not designed and tailored protests conjured up by cigarette-puffing modernists who make a joke out of the sacred Ahkaam of the Deen. Our protest was not a protest by men who could tolerate immoral actors and actresses posing as Sayyiduna Humzah and the other Sahaabah (Radiallaahu anhum). The protest of the Ulama was the protest of Haqq. The extent of the feelings of the Ulama on the issue can be gauged from the call which Hadhrat Maulana Yusuf Binnuri (rahmatullah alayhi) made when he declared the need to protest with even blood and life against the sacrilegious film. The following words of Hadhrat Allamah Binnuri (rahmatullah alayhi) adequately mirror the feelings of the Ulama and the followers of the Sunnah on the film issue:

"The opinions of the learned men of Islam have already been presented. But, I have to add that this issue does not call for logical disputation and academic proofs. This is an issue of love and emotion; faith and honour. Let them advance even a thousand so-called advantages of this film, we shall not accord it the slightest attention. At this critical stage the obligation of the Ummah of Islam is: (He then lists a number of urgent steps to be taken against the film)."

He further said:

"The choice is between the film and our lives. Either we live and the film dies, or the film lives and we die. If we fail to protect the honour of Rasulullah (sallallahu alayhi wasallam) our existence on earth cannot be justified. If need be, we shall answer with our blood which will dye the surface of the earth."

This then was the attitude and the protest of the Ulama. And, it was this sincere, honest, straightforward and spontaneous stand which, by the Grace of Allah Ta'ala, secured the elimination of the film in South Africa. What we have claimed here is substantiated by facts. In support of our contention we cite herunder extracts from the report on the basis of which the film was banned in South Africa.

On page 2 of its report, the Committee stated:

"More specifically, the Committee found the film to be offensive to the religious convictions or feelings of the Moslem section of the inhabitants of the Republic and in particular to the orthodox section of the Moslem community."

On page 6, the Committee states:

"The Chairman informed the Committee and its expert advisers at the second meeting, that many Moslem religious bodies had written to the Directorate and higher authorities, condemning the film. These bodies included the Committee of Ulama for the Republic. The most comprehensive statement was contained in a letter from the Jamiatul Ulama of the Eastern cape, dated 5th March 1976. The Chairman read the relevant part of the letter to the Committee and its advisers stating that he accepted it as expert evidence and not as an attempt at improper influence. This portion of the letter is submitted as Annexure C."

The acceptance of the Jamiat's letter as expert evidence is significant in view of the fact that on page 3 of its report, the Committee said:

"The Committee was mindful of the decision of the hon. Appeal Board in Case no. 6 at p. 9 that letters of persons are inadmissible as evidence when they fall within the meaning of Section 42 (1)."

Of the numerous letters written by the many organizations, the Jamiat's letter was singly chosen as evidence in the move to ban the film. This was because Allah's aid was with the Haqq.

On page 5 of its report, the Committee states:

"While the discussions were conducted in a most amicable spirit, the Council and Sheik Mohamed left no doubt whatsoever about the fact that orthodox Moslems viewed the film in such a serious light that they not only would refuse to view the film, but that they were not even prepared to meet the Committee to express their views."

On page 11, the Committee states:

"The dogma or official teaching of Islam is clear on this matter. The Committee regards the authoritative statement of the Jamiatul Ulama referred to earlier as of decisive importance. Two similar but shorter letters, dated 23rd February and 12th March, in which the points mentioned are not so fully set out, were received by the Directorate from the Committee of Ulama of the Republic. It is indisputable from all these letters that this national religious body feels very strongly about this issue. The Committee accepts this fact as indicative of the community view of the Moslems."

On page 13 of its report, the Committee states:

"The Committee is also aware of several individual letters of protest and of numerous articles in the Moslem journal, the Majlis, which is conducting an active cam-

paign against the film."

"The campaign only ceased, in March this year, after the Directorate had drawn the attention of the leaders of the Mohammedan community in Cape Town and Johannesburg to the fact that some of the protests could be interpreted as falling under Section 42, and the further fact that there were several remedies available under the Act should the Moslem community not be satisfied with the Committee's decision."

"From the representations and the fact that members of the religious authority were not prepared to view the film or even discuss it in any way, the Committee inevitably concludes that the commercialisation of their religion is offensive to their religious convictions and feelings and that it matters little how carefully or circumspectly the theme is treated."

On page 15, the Committee states:

"In this the Committee submits the following important portion of the letter of the Committee of Ulama of 7th March, 1976, addressed to the Directorate:

"We shall not accept the decision which unauthorised Muslims give after the preview of the film. The Ulama (Islamic theologians and religious leaders) of South Africa claim that even a preview of the film is blasphemous and an insult to our Holy Prophet. We shall therefore not condone the preview as well. The Ulama will not agree to be any party to the contemplated preview as even the preview is un-Islamic."

Enclosed herewith please find a cutting from this week's Sunday Times. The cutting headed: Burt as Moses — Doesn't Believe in God, will clearly show what type of characters are chosen to represent great prophets of God. Similar is the case with this film against which we are protesting. We can never allow immoral actors and actresses to play the role of the Holy Disciples of our Holy Prophet."

A second press cutting from the Sunday Times is also enclosed herewith. We learn from this report that a play by Pieter-Dirk Uys has been banned by the Publications Control Board. And, among the reasons given for the banning are:

"The Directorate said many inhabitants of the Republic would have their religious feelings hurt and offended by portions of the dialogue, more especially by those involving the Deity and his Son and the questionable recital of Biblical narrative."

"We observe that the directorate has taken into consideration the religious feelings of the inhabitants of the Republic. Now here, in the form of this film titled, Mohammed, Messenger of God, is a classic example of religious offense caused to a large number of the inhabitants of the Republic. The Muslim community is about half a million strong in the Republic. The play by Dirk Uys has not raised a storm of protest nor any nation-wide outcry, but the directorate has banned it, and quite rightly. The film against which we are protesting has stirred up the religious feelings of the entire nation of Islam. The enclosed Islamic newspapers will convey to you the extent of religious hurt which this film has caused Muslims, the world over. We, therefore, most respectfully and most urgently appeal to you to ban this film forthwith before it is even previewed, for any previewing of this film which has already been condemned by the World Islamic Congress at Mecca will only increase the protests of the Muslims of the Republic."

We must, in conclusion, reiterate that non-Muslims or unauthorised Muslims cannot decide this issue for us. The Ulama who are the heirs of the Holy Prophet and as such the representatives of the Muslim community are the only competent persons who can issue a verdict on behalf of the Religion of Islam. It has to be accepted that we the Theologians, Jurists and Spiritual Leaders of the community know what is derogatory and insulting to our Faith. We sincerely trust that the Publications Control Board will assist the Muslim community of the Republic in this matter by forthwith banning this disgusting and unchaste film."

From the foregoing it can be ascertained to what extent the authoritative protests of the Ulama acted in securing the ban on the offensive film. These forceful and honest protests emanating from the heart of Imaan, by the fadhl of Allah Ta'ala, had the desired and correct effect, but ICSA inveighs against the Ulama for taking their stand of Imān. Criticizing the Ulama, ICSA said in a pamphlet:

"In the late 1975 and early 1976 a controversy raged in the Muslim community concerning the film, 'The Message', which Ster Films intended screening for the entertainment of the general public. Undignified words were used by individuals and organizations while the local press had a field day in reporting such abuses and exchange of words to the general embarrassment of the Muslim community."

This statement of ICSA reveals the kind of flabby attitude which it adopted against the vile film. The strong protest of Haqq of the Ulama will naturally seem to be "undignified" to men who can tolerate Sayyiduna Humzah (radiallāhu anhu) and other Sahābah being pictorially depicted by immoral kuffaar. The statements of the Ulama against the film will appear as "abuse" to those who have agreed to feast their eyes on a film which moulds the illustrious Sahaabah of our Nabi (sallallahu alayhi wasallam) in a vile form. For us, the forceful call of Maulana Binnuri (rahmatullah alayhi) was the Call from Allah Ta'ala emanating from one of the noblest of Rasulullah's (sallallahu alayhi

continued on page 10

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wasallam) Heirs of our times. But Icsa and Cit are grounded in a quagmire of roohāni darkness.

It should now be realised that the blasphemous film was banned mainly on the grounds of the protests of the Ulama and not on the basis of the flabby "protest"

of Icsa and Cit to which the Committee does not make even the slightest reference in its report. Yet these organizations stoop to the low level of seeking public acclaim on this issue.

After the film was banned, Ster Films lodged an appeal against the decision of the Directorate. The very CIT which purports to have actively protested against the film, issued a letter criticizing the Ulama. This letter was for use in favour of Ster Films, and was used as such by the modernist witness whom Ster Films called to testify on its behalf. Again in the Appeal, it were the Ulama who had to singly fight the case for Islam. In this matter of the Appeal, honour goes solely to the Jamiatul Ulama of Transvaal who fielded for Islam throughout the nine-day marathon appeal hearing. By the grace of Allah Ta'ala, Ster Films failed in its appeal and the ban was upheld.

This then is the true story of the fight to secure the banning of the film, "The Message".

continued from page 5

tions until the salat is over without the slightest bit of remorse of feeling or obligation.

8. The move that has been proposed by the Islamic Center's Executive committee is sought to bring *convenience* and *social prestige* for themselves, but will cause a *great inconvenience* to the Muslims who attend *Juma'a*. The proposed area is in a *high income* community easily accessible to members of the *IFCO*. If they sell the present Islamic Center it will be *haraam* because it is *Wakf property*. But it is feared by many Afro-American Muslims as well as some of the members that in order to acquire the newland, they will *sell* the building at any cost, in spite of our protest!

C. APPEAL FOR HELP:

We the concerned Muslims of Central Ohio hereby request on audience with the officials of the Muslim countries that are in the position to finance groups requesting funds for the building of Masjids, schools or the furthering of any Islamic institution. Please acknowledge the fact that there are people in this country from overseas who are soliciting funds under the pretense of "establishing Islam". We are not *begging* for money in their place, but we are saying, if you are going to appor-

piate funds for this purpose, at least give the money to people who are going to *practice Islam*. Because, if you are not careful, you could be financing "*the destruction of Islam in North America*" by sending money for the above mentioned proposal by the Islamic Center. They seek "new land" a "New Center" and possibly a "new generation" of *fasaaq* practices to be dealt with by us and possibly even our children in the future. Send us qualified Alims, Qadis, and Qaris so that we can properly propagate the *Deen-ul-Islam* in North American InshaAllah!

Stop sending or allowing people to come to this country who only seek to get a Ph.D. and live off the "fat of the land", this land (U.S.A.) as well as the land of other countries in the middle east that they can beg, scrounge, and squeeze money from with their greedy hands. Send the money to Somalia, to Afghanistan, to Phtani, or any country where Muslims are feeling the brunt of oppression. We have received more opposition to the practice of Islam from IFCO than from the Kufaar himself. The Kufaar in this country sees that "he does not need" to oppose Islam: If the so called Muslims do it for him". Let it be known that if something is not done about this problem, we shall take the initiative ourselves, and will not let up in our verbal and written protest until the IFCO cease and desist from their un-Islamic activity.

RASULULLAH (sallallahu alayhi wasallam) SAID THAT AN EPIDEMIC OVERTAKES A PLACE WHERE FORNICATION IS RIFE

Zina Diseases

"Almost unheard of only a few years ago, a venereal disease called nongonococcal urethritis (NGU) has become our *most common* sexually transmitted disease, outranking gonorrhea", reported *Parade* magazine. February 24, 1980.

This year an estimated three million Americans in every segment of society will be plagued with this disease, which is caused by several different organisms.

In addition to these little-known diseases suddenly being found or recognized, the old ancient plaques — syphilis and gonorrhea — have not become more easily cured as some had assumed.

Syphilis, the scourge of humankind for centuries, far from being cured with a shot or two, takes up to two years of treatment to erase all signs of the disease.

"The venereal infection called gonorrhea is the most common *bacterial* disease of humans on earth. There are an estimated 100 million cases each year throughout the world . . . The numbers have been rising each year" (New York Times January 23, 1977).

But here's what really worries health officials! Cases of "super gonorrhea," which are resistant to all penicillin and most other antibiotics, are rapidly increasing in more and more nations.

(Plain Truth, September 1981)

SEX-WILDERNESS

Millions are lost in a modern "sexual wilderness". Promiscuity, homosexuality and a parade of new and bizarre sex activities are more and more widely glamorized by various media or groups.

Millions fail to realize that the prophets of permissiveness — whoever they are — obviously are not telling all of the ugly side effects of such "liberating" lifestyles. (Plain Truth, September 1981)

"LOVE"?

But how can it be called "love" to give someone, because of ignorance, unconcern or sexual carelessness, a disease that could cause brain damage, blindness, heart trouble, sterility, birth defects to babies, or a long list of other possible health problems, including death?

(Plain Truth, September 1981)

MODERN YOUTH — "RESERVOIR" OF ZINA- DISEASE

Youths are a big reservoir of venereal infection. Venereal diseases strike 12 percent of adolescents aged 15 to 19 in the United States. That's one out of eight teenagers.

"There are a lot of diseases out there that can hurt you if you're sexually active," warns one public health official. He meant you are taking chances with sex partners, or when you have sexual or intimate relations with anyone who may have picked up a sexually transmissible disease from others at some time.

Many have heard about syphilis and gonorrhea. But how many have heard about herpes simplex type 2, or chancroid or lymphogranuloma venereum? Then there is granuloma inguinale, hepatitis-B and cytomegalovirus. But the list of new sexually transmissible plagues does not stop here. Add to our list monilia, trichomoniasis, giardiasis, shigella dysentery, amebic dysentery, public lice and scabies!

All of these diseases or infestations (and other suspected but not yet absolutely proven) can be transmitted sexually or by close intimate contact with infected persons (Plain Truth — September 1981)

"SUPER" ZINA DISEASE

Dr Ronald K. St. John of the U.S. Communicable Disease Center's Venereal Disease Control Division said new mutated types of gonorrhea are resistant to all antibiotics but one. Drug resistance by gonococcus organisms has been developing in all nations.

The superresistant strains were first detected in the Philippines where 20 percent to 40 percent of prostitutes were found to have them. Prostitutes, knowing they have a high chance of VD infections, often treat themselves with improper doses of antibiotics have also been responsible. Improper treatment only rapidly produces stronger strains of resistant organisms. Dr St John says such strains are now "rapidly galloping forward" in more and more nations.

Dr R.D. Catterall of London, president of the International Union Against Venereal Diseases, said 130 strains of penicillin-resistant gonorrhea were identified in the United Kingdom in 1979 and that 40 more were found in the first few months in 1980. "What is worse," he said, "is that now we have found 30 strains of gonorrhea totally resistant to penicillin and relatively resistant to other antibiotics."

Spectinomycin, a relatively expensive antibiotic, is now the last drug effective against the "super strains" of gonorrhea. If the germ develops resistance to this drug — and gonorrhea organisms have eventually overcome all drugs used against them in the past — doctors will be helpless to control the disease.

"All our steel-capped bullets have turned into rubber", laments one health official.

ISTIKHARAH

Istikhārah is to seek advice from Allah Ta'ala regarding any act which one is contemplating. Rasulullah (sallallahu alayhi wasallam) said that it is indeed unfortunate for a person not to seek advice from Allah Ta'ala in an activity which is being contemplated.

The advantage of Istikhārah Salāt is great. One who embarks on a project after having made Istikhārah will, Insha'Allah, be saved from calamity, misfortune and loss. His project will be successful. Insha'Allah, he will not regret later.

The effect of Istikhārah is the elimination of doubt and uncertainty regarding the proposed work.

HARAAM COPYRIGHT

Among the evil practices in vogue are the acts of reserving, buying and selling copyrights of books. According to the Shariat, a pure right (haqq-e-mujarrad) is not the subject of ownership. It is therefore haraam and sinful to treat copyright as an object for ownership and to prevent others from deriving benefit from books, the copyright of which has been registered. Allah Ta'ala has warned us against devouring our wealth among ourselves by unlawful means.

(Hakimul Ummat Hadhrat Maulana Ashraf Ali Thanvi — Rahmatullāh alayhi)

MUJLISUL ULAMA ZAKAAT ORGANIZATION OF SOUTH AFRICA

ZAKAAT QUESTIONS

Q. In your Majlis Newspaper some time ago, I read an article on the subject 'Shares' Retraction and explanation, that Zakât is not payable on shares. What is the position of shares in a private limited company? Suppose a person holds let us say 50,000 Dollars shares in a private limited company, has he got to pay Zakat for this \$50,000/? If he gets an income e.g. 10,000 from his share investment in a year in a private limited co., has he got to pay Zakât for the \$10,000/alone or has he to pay Zakât for 50,000 + 10,000 (i.e., 60,000). Which is correct? I think in a partnership firm we have to pay zakât for the 50,000 Dollars capital plus the 10,000 profit. i.e., zakât has to be paid for \$60,000 at the end of the year. I think in this case the difference between the partnership firm and the private limited company is this: the capital in the partnership firm can be taken out any time without notifying the Business of Registration Authorities and so on. On the other hand in a private limited company the paid up capital cannot be taken out like in the partnership firm. We have to put in the court whether to take it or to reduce the paid up capital. In short the money is not ours as in the partnership firm. The shares which you are referring in the Majlis is to do with the public limited company. There is not much difference between the private limited company and the public limited company as far as this question is concerned. Therefore what is the ruling of Shariah in these three cases?

In public limited company, zakât will not be paid on the price of shares (This is the ruling you have already given). So is it the same with the private limited company? What about the same 50,000 investment in the partnership firm? Please clarify.

A. ZAKAAT ON SHARES IN A PRIVATE LIMITED COMPANY.

Certain aspects of the private limited company are in conflict with the Shariat, hence a Muslim cannot utilize such aspects as subterfuge to escape liability. In this regard the following should be noted:

- (1) The shareholders in a private limited company, in terms of the Shariat of Allah Ta'ala, are partners in the business venture.
- (2) In terms of the Shariat, a Company — be it private or public — is NOT a separate legal entity apart from its shareholders. The Shariat does not recognize the existence of such a legal and fictitious entity.
- (3) The shareholders are directly liable for all the debts of the company. In fact there is no such thing as "debts of the company". The debts are the liability of the shareholders.
- (4) In the event of the company's assets being insufficient to meet the debts, the shareholders will have to pay from their private assets.
- (5) If a shareholder has private debts but insufficient assets to pay such debts, his creditors will have the right to demand payment from his share of the assets in the company. It cannot be argued, in terms of the Shariat, that the company is a separate legal entity which is not responsible for the private debts of its shareholders.

The above is just a very brief outline of certain factors which are in conflict with the Shariat, and has been presented here to facilitate the understanding of the Shar'i position of a private limited company. Now that it is understood that a private limited company undertaking is a normal partnership enterprise according to the Shariat, it will be readily understandable that Zakaat is payable on the Zakaat taxable wealth of the company and not on "shares" which are abstract items not included in the Shar'i list of Zakaat taxable assets. The list of Zakaat taxable assets is as follows:

Gold, silver, cash (whether on hand or in the bank), stock-in-trade, livestock.

CALCULATING ZAKAAT ON THE ZAKAAT ASSETS OF THE COMPANY

At the termination of the Zakaat year an inventory of the Zakaat taxable assets of the company will be made. The company's debts will be deducted from this total and the balance will be the nett Zakaat taxable assets. But, Zakaat is still not payable on this nett balance since this nett balance, in terms of the Shariat, is the property of the several shareholders. Each shareholder is liable for the Zakaat payable on his share of the nett value of the company's Zakaat taxable assets. It may be that a particular shareholder may not even be liable for Zakaat on his share of the nett Zakaat assets of the company in view of his personal debts. Herunder we illustrate with an example.

A, B, and C are the shareholders (partners) of a company. Their proportionate ownership in the company is 50%, 25% and 25% respectively. At the end of the Zakaat year the Zakaat taxable wealth of the company was 100,000 dollars. The proportionate shares of the partners, A, B, and C in this nett. The company's debts were 20,000 dollars. The nett balance of the company's Zakaat taxable wealth is therefore, 80,000 dollars. Of this nett balance the proportionate shares of the partners are as follows:

A, 40,000 dollars; B, 20,000 dollars; C, 20,000 dollars. Each partner is now liable for his own Zakaat payment. The partners will consider their shares of the nett Zakaat assets of the company in conjunction with their private Zakaat taxable assets and their personal debts. Let us, in an example, consider their Zakaat positions:

Partner A

His position is as follows:

Zakaat taxable assets	10,000	dollars
Gold and silver	10,000	"
Stock (in his personal business)	2,000	"
Cash	22,000	"
His share of the company's assets	40,000	"
	62,000	"
Less his debts	12,000	"
Nett Zakaat assets	50,000	dollars

Partner A will pay Zakaat of 50,000 dollars

Partner B

ZAKAAT taxable assets		
Gold	5,000	dollars
Cash	500	
His share of the company's assets	20,000	
	25,500	
Less his debts	12,500	
Nett Zakaat assets	13,000	dollars

Partner B will pay Zakaat on 13,000 dollars

Partner C

Cash	2,000	dollars
Stock (in a personal business)	10,000	
His share of the company's assets	20,000	
	32,000	
Less his debts	31,950	
Nett Zakaat assets	50	dollars

Partner C pays no Zakaat since his nett Zakaat taxable assets of 50 dollars is less than the Nisaab value.

From the foregoing explanation you will observe the following Shar'i rulings:

- (1) The Shariat does not distinguish between a partnership and a private limited company venture notwithstanding the fact that the law of the land (i.e. kuffaar law) recognizes and enforces a difference.
- (2) The stock as well as all assets of the company belong to its shareholders. The Shariat does not accept the western concept of this business that the money and the assets in a company do not belong to the shareholders as you have explained in your letter.
- (3) The shareholders are directly responsible for the debts of the company, the "limited" liability concept having no substance in the Shariat.
- (4) The private assets of the shareholders will be claimed by the creditors of the company in the event of the latter's assets being insufficient to liquidate the debts.
- (5) Private creditors of individual partners or shareholders will have the right to claim from the share of their debtor's assets in the company in the event of the shareholder not having other assets to pay his private or personal debts.
- (6) Regardless of what the law of the land states, for calculating your Zakaat on your shareholding in a private limited company, you will have to consider the company as a partnership and calculate the Zakaat as we have explained in this letter.
- (7) Zakaat is not payable on income as such, but is payable on the nett Zakaat taxable wealth at the end of the Zakaat year. If the income or part of it remains intact in the form of Zakaat taxable wealth at the end of the year, it will be included in the Zakaat taxable asset list. If, on the other hand, the income was expended before expiry of the Zakaat year or was converted into non-Zakaat taxable items, e.g. fixed property, household goods, vehicles, etc., Zakaat is not payable on it.
- (8) Zakaat is not payable on capital invested as such. Zakaat will be payable only on the capital or that part of the capital which remains in the form of Zakaat taxable wealth at the end of the Zakaat year. If at the expiry of the Zakaat year the capital was lost or part of

it was converted into non-Zakaat taxable items, e.g. equipment, fixtures, etc., then Zakaat will not be paid on such transformed or lost amounts.

From the foregoing discussion the answer to your question should be clear that:

The person who holds 50,000 dollars shares in a private limited company does not pay Zakaat on this amount nor does he pay Zakaat on the 10,000 dollars income which he has obtained from the company. He will pay Zakaat on his nett Zakaat taxable assets at the end of the Zakaat year.

N.B. NETT ZAKAAT TAXABLE ASSETS ARE ALL SUCH ITEMS WHICH THE SHARIAT HAS CLASSIFIED AS ZAKAAT WEALTH MINUS TOTAL DEBTS REGARDLESS OF THE NATURE OF DEBTS. (Examples appear above.)

Q. In our community there are many widows who have no income for their maintenance. Some of these people possess considerable gold jewellery, more than Nisaab value. However, at the same time they have considerable debts. Can we give Zakaat to such widows? Is it necessary that they pay Zakaat on their gold jewellery? Please explain.

A. We understand from your letter that you are a follower of the Shaafi' Math-hab. According to the Shaafi' Math-hab gold and silver jewellery procured for personal use are exempted from Zakaat, regardless of their value being in excess of Nisaab. To qualify for this exemption according to the Shaafi' Math-hab the following conditions are essential:

- (a) The jewellery should not be of a type, the wearing of which is haraam (unlawful) e.g. gold or silver watch-strap for men.
- (b) When procuring the jewellery the intention should be for use and not hoarding or re-sale.
- (c) The jewellery should not be excessive, which could be described as unlawful waste.

If the "considerable" gold jewellery which the widows in your society possess is normal, then such jewellery will not be considered as "excessive". They are not liable, therefore, to pay Zakaat on their jewellery. Although they will not pay Zakaat, it is not permissible to give them Zakaat since gold jewellery is not among the necessities of life. They will have to sell such jewellery and maintain themselves. If, however, their debts consume the value of their gold jewellery then it will be permissible to give them Zakaat. And, Allah knows best.

NISAAB

How to calculate our Zakaat Nisaab:
In calculating our Zakaat Nisaab the price of silver is considered.
MULTIPLY 19.68 by the price per troy ounce.
If price of silver is, for example, R30 per troy ounce, then multiply 19.68 by R30. The Nisaab will be (in this example) R590.40.
If you experience any difficulty in obtaining the price of silver locally, then phone the South African Mint who will inform you of the price.
S.A. MINT
Phone 012/265611 (Pretoria)

Your Zakât — our Condition of Acceptance

The prime purpose of the Mujlisul Ulama Zakaat Organization is to guide Muslims in their Zakaat affairs. Our aim is not to be a money-collecting organization. However, where Muslims find that they are not able to distribute their Zakaat funds in accordance with the Shariat, they may then divert their Zakaat payments to us. To assist us in this task and to lighten the responsibility for us we stipulate the following condition for the acceptance of Zakaat funds diverted to us for distribution:
WHEN FORWARDING ZAKAAT TO US, DO MAKE THE NIYYAT (INTENTION) OF MAKING THE MUJLISUL ULAMA ZAKAAT ORGANIZATION YOUR FREE AND UNFETTERED WAKEEL (REPRESENTATIVE) IN THE DISTRIBUTION OF YOUR ZAKAAT.
This niyyat by you will enable us to distribute your Zakaat in accordance with the Shariat in a manner that will make it easy upon us to effect the distribution. Do remember that the effect of making this niyyat (as outlined above) will permit us full and unfettered control and freedom to distribute within the Shar'i Zakaat categories in a manner, time and amount as we deem fit.
PLEASE NOTE THAT WE SHALL ACCEPT YOUR ZAKAAT FOR DISTRIBUTION ONLY ON THIS CONDITION. If you cannot agree to this condition, please do not forward your Zakaat to us for distribution. You may in that case divert your Zakaat elsewhere for distribution.

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ORGANIZATION OF SOUTH AFRICA
P.O. BOX 3393, PORT ELIZABETH**

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THE INSTITUTIONS OF THE KUFFAAR

GRACED BY YOUR MUSLIM DAUGHTER

Students' manhandling of girl probed

HERALD CORRESPONDENT

CAPE TOWN — University of Stellenbosch authorities are investigating an incident at the Wilgenhof men's hostel last week in which a girl student was dragged off her bicycle by a group of male students, pulled into the courtyard of the hostel, soaked with water from a hosepipe and then photographed as she struggled.

The girl's mother said her daughter was "black and blue from head to toe" after the incident.

The girl was cycling past Wilgenhof when she was

accosted by the men, and then pulled from her bicycle. As she was taken into the courtyard she saw another girl, dripping wet, crying as she was led out of the hostel.

A hosepipe was turned on and, as the male students involved laughed at her, she was soaked.

A number of students then took photographs of her before releasing her.

The girl's mother said she demanded that the university authorities should punish the students involved. She did not feel the incident could be passed off as a prank.

Eastern Province Herald - 13th October 1981

Kitaabut Tahaarah

KITAABUT TAHAARAH (THE BOOK OF PURIFICATION AND PURITY) — A 100 PAGE COMPREHENSIVE BOOK DEALING WITH ALL ASPECTS OF SHARI' TAHAARAT HAS BEEN PUBLISHED BY THE YOUNG MEN'S MUSLIM ASSOCIATION OF BENONI.

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ENHANCING KUFR PRACTICE

by
(Hakimul Ummat Hadhrat Maulana Ashraf Ali Thanvi — Rahmatullāh alayhi)

Many people, including pious persons and some learned ones as well attend gatherings of play, sport and amusement as a past-time and to derive fun. They visit such places as race-courses, circuses, exhibitions, fairs, theatres, etc. At such gatherings anti-Islamic practices occur in abundance.

The fairs and exhibitions of the kuffār are assemblies of kufr practices, hence it is sinful to visit such places. Visiting such gatherings is in fact enhancing the status of the kufr practices prevalent there. The Hadith states that he who enhances or graces the gathering of a nation is one of them. Rasulullah (sallallahu alayhi wasallam) went to the extent of prohibiting the Sahābah from congregating and sitting in public roads because on such occasions it becomes difficult to refrain from sin.

Misfortunes and the Remedy

When it has been established from numerous narrations of the Qur'an and Hadith that the hardships and misfortunes which befall Muslims on earth are the consequence of their sins, it should be clear that the true remedy then for our ills is:

1. Regret for past sins.
2. Taubah and Istighfār (repenting and seeking forgiveness).
3. Resolving to abstain from sin in the future.
4. Acting in accordance with this resolution.

(Hadhrat Mufti Muhammad Shafi' — Rahmatullāh alayhi)

DUA ETIQUETTE

Some ādāb (respects — Sunnat etiquettes) of duā are narrated here. Observance of these ādāb go a long way in achieving maqbuliat (acceptance) of the duā. However, this does not mean that if one is unable to observe all the ādāb, one has to abstain from duā. Even if these ādāb cannot be observed for some reason, one should constantly make duā. The following are the respects of duā:

- *To refrain from unlawful earnings, food and dress.
- *Duā should be made with sincerity, i.e. to implicitly believe that besides Allah Ta'ala no one can fulfil wishes and needs.
- *To do some good deed before making duā.
- *To make duā in the state of purity (tahārat).
- *To face the Qiblah when making duā.
- *To sit as in Salaat when making duā.
- *Making Hamd and Thana (glorifying and praising) of Allah Ta'ala before and after the duā.
- *Reciting Durud Shareef before and after the duā.
- *Making duā with humility
- *Spreading the hands when making duā and to raise the hands in line with the shoulders.
- *To express one's dependence on Allah and helplessness when making duā.
- *To refrain from raising the eyes towards heaven when making duā.
- *To refrain from making duā in a sing-song style.
- *To lower the voice when making duā.
- *Making duā in the words used by Rasulullah (sallallahu alayhi wasallam)
- *As far as is possible to make duā with concentration.
- *To repeat the duā.
- *At the end of the duā to rub the hands over the face.
- *Not to become impatient if acceptance of duā is delayed.

Those whose Duaa is readily acceptable

- *One who is afflicted with hardship.
- *One who is oppressed even if he is a fāsiq.
- *Parents making dua for their children.
- *A just ruler.
- *A pious person.
- *Children who are obedient to their parents.
- *Musāfir (the one who is a Shar'i traveller)
- *One who makes dua while fasting.
- *A fasting person making dua at the time of iftār.
- *A Muslim making dua for another absent Muslim
- *One on the journey of Hajj.

SPECIAL DUA TIME

The following are the special occasions in which duā is readily accepted:

- *At the time of Athaan.
- *Between the Athaan and the Iqamat.
- *For one involved in some calamity to make dua after Hayyālas Salāh, Hayyālal Falāh. This occasion is most efficacious of such a person.
- *During Jihād when forming ranks.
- *After the Fardh Salāt.
- *After tilāwat of the Qur'ān Shareef.
- *At the time when drinking the water of Zam Zam
- *At the time when one is near to a dying person.
- *When the cock crows.
- *When rain falls.
- *When the sight falls on Baitullah.

MUHASABAH

Muhāsabah means to take stock or reckoning. Here it means to take stock of one's own deeds and activities. One should reflect over the entire day's acts and deeds. Upon recalling a noble act or an act of Ibādāt, express one's gratefulness (shukr) unto Allah Ta'ala and request for greater taufeeq (ability and inclination) to enhance virtue. Upon recalling one's evil or wrong doing, become regretful. This is the daily muhāsabah incumbent upon the mureed.

MURAQABAH MAUT

This means to contemplate . . . to think about the oncoming event of maut (death). Reflect about the pangs of death, the questioning in the grave, the Plain of Resurrection, the Reckoning in Qiyāmat; the presence in the Court of Allah; crossing the Sirāt, etc. All this has to be contemplated and a pledge is to be made that one will in future not venture near to sin.

PROTECTION

According to the Hadith of Rasulullah (sallallahu alayhi wasallam) the following should be recited for protection against enemies:

After Fajr and Maghrib Salaat
Surah Ikhlas, three times
Surah Falaq, three times
Surah Nās, three times.

FOR BARKAT

For barkat (prosperity) in earnings (rizq) recite after every Salaat the following:

Durood Shareef (thrice)
YAA BAASITO (seventy two times)
Durood Shareef (thrice)

Partnership with Ribā

Hadhrat Ibn Abbās (radiallāhu anhu) narrates: "Do not take as a partner (in trade) a Jew, Christian and a Majūsi (fire-worshipper)."

He was asked: "Why?" In reply he said: "Because, verily, they deal in ribā (usurious transactions), and ribā is not lawful."

From the above narration it is clear that it is not lawful to enter into partnership with those who indulge in ribā.

(Hadhrat Mufti Muhammad Shafi' — rahmatulla alayhi)

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The names of some subscribers have been duplicated in our lists. Considerable time is required to check the thousands of names. Subscribers receiving two issues of "The Majlis" will render us a great favour by notifying us of the duplication of their names. Jazaakumullaah.

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BIDATEE FLIGHT



AHL-BIDAH FLEES P.E. AFTER DEFEAT IN DEBATE

THE BACKGROUND

A Tablighi Jamaat Ijtima was scheduled to be held in Port Elizabeth on the 25th, 26th and 27th December, 1981. It is a well-known fact that the Bid'atee group is the arch-opponent of the Tablighi Jamaat and the Ulama of Deoband. The Bid'ati group operating from Durban had formulated plans for the disruption and cancellation of the Ijtima to be held in Port Elizabeth. However, their advisors from Uitenhage misread the situation and fed the Bid'ati group in Durban with erroneous and insufficient information, hence the total failure of the miserable attempt initiated by the Durban Bid'ati group with the connivance of some misguided ignoramuses from Uitenhage.

The venue for the Ijtima was Musjidut Taqwaa in Gelvandale, where Sheikh Jamiel JARDINE is Imaam as well as a prominent member of the Muslim Judicial Council of the Eastern Cape. Sheikh Jardine had consented to the Musjid being used as the venue for the Tableeghi Jamaat Ijtima and members of the Jamaat had already made much preparations in anticipation of the large number of people who will be attending the Ijtima. The Bid'atee plan consisted of the following pernicious ingredients:

- (1) Sheikh Jardine has to be persuaded somehow or the other to cancel the venue by withdrawing his earlier consent.
- (2) Sheikh Abu Bakr of Uitenhage must be taken into confidence to be used against the Tablighi Jamaat and the Ulama of Deoband.
- (3) The minds of the unwary Muslim public of Port Elizabeth and Uitenhage has to be poisoned with false propaganda and onslaughts against the beliefs of the Ulama of Deoband. IN this way it was hoped that the Muslim communities of Port Elizabeth and Uitenhage would turn against the Tableeghi Jamaat and the Ulama of Deoband.
- (4) Using the pernicious services of certain social outcasts of Uitenhage to spread malicious slanders against the Ulama of Deoband and the Tableeghi Jamaat. In this regard one particular misguided fellow from Uitenhage went specially to Durban and spent several days in the company of the Bid'atee group and submitted himself to Bid'atee indoctrination.
- (5) Distribution of slanders pamphlets in Port Elizabeth and Uitenhage.
- (6) Adding Sheikh Abu Bakr's name to their scurrilous pamphlet of lies so as to convey the impression that Sheikh Abu Bakr has turned against the Tablighi Jamaat and had moved into the Bid'atee camp.

The hosts of the Bid'atee group which visited Uitenhage and Port Elizabeth on their mission of *fitnah*, are well known for their their hooliganism. (Throughout this pamphlet we will refer to them as the hosts). These hosts left no stone unturned in their pernicious efforts to assist the Bid'atee group in its nefarious endeavours to have the Ijtima cancelled. Intensive effort was made by them to influence Sheikh Abu Bakr and Sheikh J. Jardine with a view to secure the cancellation of the Ijtima. A great attempt was made by them to turn the Sheikhs against the Tablighi Jamaat and the Ulama of Deoband. The culprits had succeeded in influencing Sheikh Abu Bakr and Sheikh Jardine to a certain extent and there were indications that the venue for the Ijtima will have to be changed. At no time was there the slightest possibility of the Ijtima being called off as several other venues were available for the purpose. In fact the Jamiatul Ulama was considering to make strong representations to the elders of the Tablighi Jamaat to switch the venue to Musjidul Fuqaraa in Malabar. But, the Qur'aan Shareef says:

"And they plot and Allah plans. And Allah is the best of planners."

On Thursday, 17th December, 1981, one of the Tablighi brothers informed our Maulana A.S.Desai that the hosts had villified him and have made various threats to his life and had threatened to destroy equipment at the Ijtima venue if the Ijtima was not called off. Threats of assault, injury and vandalism were variously made by certain louts connected to the Bid'atee group. The hosts warned the Tablighi elder against sending any Tablighi Jamaat to Uitenhage. In short, the host had "banned" the Tablighi Jamaat from Uitenhage. But, the host had as yet not realised his lack of ability and lack of authority to enforce his ludicrous and laughable "ban" dictated to him by the Bid'atee group of Durban.

The Tablighi elders being of docile attitude detest disputes and disruptions hence they submitted meekly and called off their Uitenhage programs. But the Jamiatul Ulama of Eastern Cape is cast in an entirely different mould. Terrorizing innocent Muslims and impeding the Deeni activities of Islam were intolerable to us. In the interests of the Muslim communities of Port Elizabeth and Uitenhage, the Jamiatul Ulama decided to divest the host and their Bid'atee group of the exaggerated notions of self-importance and self-authority from which they were ailing. In consequence we announced that our Maulana A.S.Desai will be bringing a Jamaat to Uitenhage on Sunday 20th December, 1981 and a Tableeghi program will be held in the Uitenhage Musjid from Asr to Isha. The host was apprised of our intentions and verbal

notification was sent to him to this effect through the agency of Mr. Shabuddin who is a slaughterer at the P.E. Abattoir and also happens to be in the partial employ of the hosts.

As a result of this decision taken by us, anonymous and cowardly threats of violence and injury to us were made. The identities of the cowards are well-known to us.

On Saturday, 19th December 1981, at 11.05 p.m. a pamphlet was delivered to our Maulana A.S.Desai. The names of the authors did not appear on the pamphlet although it was manifest that the authors were the hosts and the Bid'atee group. The pamphlet reads:

This was the first occasion that we learnt of some Bid'atee molvies who had arrived or will be arriving in Port Elizabeth in a bid to implement their desire of disrupting the Ijtima. Nevertheless, we did not accord the anonymous and silly challenge undue attention.

At 11.15 p.m. the same night (Saturday 19th December), Mr. Shabuddin, the messenger-boy of the hosts called at the residence of our Maulana A.S.Desai with a letter. When asked about the letter, Mr. Shabuddin said that Moosa Tiry who was sitting in the car outside had sent the letter. Trickery was suspected and Maulana A.S.Desai refused to accept the letter. A few minutes later Moosa Tiry knocked at the door which was opened. Maulana A.S.Desai refused to accept the letter and closed the door on Moosa Tiry. The pernicious tricks of the Bid'atees who were using the hosts as their tool was quite evident to us. They had absolutely no intention to discuss or debate with us. Their nefarious plan was to poison the minds of the people with their blatant falsities and propaganda in a desperate bid to secure the disruption of the Ijtima in Port Elizabeth. In pursuance of this scheme they had distributed their anonymous pamphlets of slander and bluff challenge widely in the Muslim communities of Port Elizabeth and Uitenhage thus conveying the impression that they had concluded an arrangement with us to debate with them at Musjidut Taqwaa at 9 p.m. on Sunday 20th December. But this was false and a trick employed to discredit the Jamiatul Ulama in the eyes of the Muslim public. But their desire and aim were not destined to be fulfilled. They were fully aware of the fact that we would never accept such a stupid and irregular so-called challenge conveyed to us irresponsibly by a man whose chief attribute is irresponsibility.

On Sunday 20th December 1981, as planned, members of the Jamiatul Ulama formed a Jamaat and went to Uitenhage. Alhamdulillah! The Jamaat had a very successful programme which lasted from Asr until Isha at the Uitenhage Musjid. Three groups were made to make *gasht* in the Uitenhage area. This was also accomplished successfully, without incident. In fact, the hosts were no where around and had sought the sanctuary of Port Elizabeth. While at the Musjid in Uitenhage, it was conveyed to us that a telephone call was received from Port Elizabeth. The caller warned that the Jamaat leave the Musjid forthwith, failing to do so will result in our expulsion by force. This silly call was obviously ignored. No one came or dared come to execute the threat of expulsion.

At approximately 8.30 p.m., outside the Musjid, Mr. Adam Jeewa and Mr. Chohan of Uitenhage informed us that the Bid'atee group of molvies was waiting for us at Musjidut Taqwaa in Port Elizabeth. Furthermore, the public was waiting in anticipation of the much publicized "debate". We informed those who had gathered at Uitenhage that we had no knowledge of any such meeting arranged with the Bid'atees. We neither arranged such a meeting nor were officially informed about it.

It seemed clear to us now that the public in Port Elizabeth had been hoodwinked into believing that the Jamiatul Ulama had agreed to participate in a debate to be held at the Musjid in Gelvan Park that night at 9 p.m. Our absence will therefore be misconstrued and the cause of Bid'atee *fitnah* will gain an advantage. In view of this fact we decided to inform the Muslim public which had gathered at Musjidut Taqwaa about the true state of affairs. We arrived in Port Elizabeth at 9.05 p.m. and despatched a group of three men to make an announcement in the Musjid to clarify the matter. Our spokesman was instructed to inform the gathering that at no time had we entered into any agreement with the Bid'atee group to meet them tonight in this manner and at this venue; that we had not issued any challenge to the Bid'atee group; that the Bid'atee group did not meet with us at any time, and that if this group had any desire to thrash out the matter and the confusion with us, they were welcome. A mutually acceptable venue and time can be arranged. At the Musjid attempts were made to prevent our spokesman from making the announcement. Those responsible for this action thus indicated that they had already been swayed by the false propaganda of the Bid'atee group. It further re-inforced our belief of collusion between certain individuals in authority at Musjidut Taqwaa and the Bid'atee group. Their motives are evident. Anyhow, our spokesman having been instructed to make the announcement regardless

continued on page 2

of the circumstances prevailing at the Musjid, faithfully discharged his duty to the dislike of certain collaborators in the Bid'atee plot of *fitnah* which was directed towards the cancellation of the Ijtima.

While our spokesman was making his announcement, Moosa Tiry, one of the hosts of the Bid'atees fired some shots in a childish way outside the Musjid and entered the Musjid thereafter brandishing a gun ostensibly to create the impression that he was a desperado. The motive underlying his puerile act of firing was to intimidate our spokesman with a view to silence him. But he was to be sorely disappointed. As mentioned earlier, we are cast in a different mould and the meek and docile attitude of the Tableeghi Jamaat is not among the qualities which we have inherited. Our spokesman was not to be deterred by a childish and amateurish display of a gun. We take this opportunity to announce to the Bid'atee group that guns do not intimidate us. We do not and Insha'Allah will not retreat one iota from our stand regardless of guns and regardless of numbers. Moosa Tiry and his brother Abdul Wahhaab Tiry were physically expelled from the Musjid by members of the congregation. Their guns did not avail them nor aided them when the meek musallees turned against them and ejected them from the Musjid. The only thing which their childish firing of a couple of shots in the air achieved was to create some confusion in the Musjid. Our spokesman upon completing his announcement left and reported back. Within a short while, Mr. Yusuf Pandey, a senior member of the Musjidul Taqwa Committee together with Mr. Adam Jeeva, a senior member of the Uitenhage Muslim community and Chairman of the Musjid Committees of both Uitenhage Musjids, met us and impressed upon us the need for a clarification so that the public may not be misled by the strife and mischief created by the Tiry brothers in collusion with the Durban Bid'atee mob. They appealed to us to come to Musjidul Taqwa and clarify the matter. We pointed out to them that we had nothing further to clarify at that stage. We had made no commitments and were under no obligation to come to Musjidul Taqwa for any further clarification. Furthermore, the situation prevailing at Musjidul Taqwa was not at all conducive to reasonable, intelligent and Islamic discussion. The situation that night was such that the strong possibility of violence could not be precluded. We pointed out to Mr. Pandey and Mr. Jeeva that if they could give us the assurance that violence will not erupt and if they undertook the responsibility for the safety of the Bid'atee group in the event of the eruption of violence, we are prepared to come. But both gentlemen declined to furnish such guarantees. We then proposed to them to bring the Bid'atee group to a neutral venue where we could discuss and debate behind closed doors with a few responsible members of the community sitting as observers. The residence of Mr. Mohammed Munga was made available for this purpose. This proposal was accepted by the delegation which met us. We waited at the proposed residence for about an hour and were then notified by telephone: "The meeting is cancelled."

In view of the fact that the Bid'atee group is notorious for making false propaganda and because the Muslim communities of Port Elizabeth and Uitenhage were thrown into confusion by the mischievous events and trickery of the past few days, we decided to flush out the Bid'atee group and bring them into public so that Muslims could witness for themselves the *baatil* of those who claim to be drowned in the love of Rasulullah (sallallahu alayhi wasallam), also Shaikh Abu Bakr's association with the hosts during the past few days led us to believe that he has been swayed by the false propaganda of the Tiry brothers indoctrinated by the Bid'atee group of Durban. In consequence of these developments we on the next day [Monday 21st December] issued a public challenge [we detest the use of the term "challenge", but circumstances obliged us to use the term so as to flush out the culprits guilty of the *fitnah*] to the Bid'atee group.

It is appropriate to mention here that Shaikh Abu Bakr has clarified his stand and has dissociated himself from the *fitnah* activity of the Bid'atee group. In consequence thereof we issued a public apology to Sheikh Abu Bakr. Our Apology reads:

Throughout the day on Monday 21st December 1981 (the first day of the debate) we received threatening and cowardly anonymous calls. The callers threatened us with physical injury, assault and at least four calls threatened us with death. Stories of gangs being organized to deal with us when we arrive in Uitenhage for the debate, circulated in the Muslim community of Port Elizabeth. The callers advised us to bring along our *kaffans* as our dead bodies will emerge from the Musjid if we carried out our proposal of coming to Uitenhage that night. The anonymous callers are well-known to us. They are notorious for cowardice, this being their sole capital. We advised them that we will not be coming with *kaffans*, but with spades to dig their graves inside the Musjid and to bury them inside the Musjid and that we shall bury them most unceremoniously, without *kaffan*, without *ghusl* and without *Janaazah Salaat*. This, of course, was our way of divesting them of any notion which may have assaulted their minds that we could be intimidated by fear and threats to call of the challenge which we had now put forth to the Bid'atee group bent upon securing the disruption of the Ijtima in Port Elizabeth. Furthermore, the spate of anonymous threats is an old Bid'atee tactic of avoiding a public confrontation on an academic level...on the basis of Shar'i Uloom. By Allah! Accept it from us that their men are utterly nude of any *Ilm*. They possess absolutely no *Haqq* in their hearts to debate and discuss on the basis of the Proofs of the Shariah. They, therefore, employed cowardly threats to instil fear into us in a vain bid to side-step the public debate which was about to take place in the Uitenhage Musjid. As planned, the members of the Jamiatul Ulama of the Eastern Cape arrived in Uitenhage Musjid on time. The event had attracted great interest and the Musjid was overflowing.

THE DEBATE

The group of Bid'atee molvies participating in the debate on the first night (Monday 21st December, 1981) consisted of the following persons: Mufti Mohammed Hassan Qadri of Pakistan, the supposed Mufti A'zam of the Bid'atee group, Molvee Abdul Majid Noori of India and Molvi Abdur Ra-oof of Durban. But the "STOP-PRESS" pamphlet distributed by the Bid'atees of Durban makes no mention of Molvi Abdur Ra-oof who played a greater role in the debate than his two senior mentors. The scope of this bulletin does not admit a detailed explanation and discussion of the debate proceedings. However, for the benefit of the Muslim public in other centres, we shall, Insha'Allah, publish a word for word exposition of the debate. The tape-recordings will also be released for the benefit of the public and to counter the lies and the false propaganda which the Bid'atee group is now grovelling in and relishing. Falsehood is after all, the carrion on which Bid'ah lives. It is its staple food without which survival for it is not possible. After reading our detailed word for word report and hearing the tapes, the Muslim public itself can form its conclusion. This is one occasion that we ask the public to form its conclusion. Who is on the *Haqq* and who is on *baatil*...who is guilty of lies and who is speaking the truth...the tapes will establish this reality. Here it will suffice to inform you of the following facts:

(1) The Bid'atee group at first sought to escape the slanders printed in their pamphlet,

A desperate attempt was made by them to side-step the scurrilous pamphlet by their insistence that other issues (presumably *urs*, *mouloud* and *salaami*) be discussed. Our contention was that the cause occasioning this encounter with them was their slanderous pamphlet which had been distributed by their hosts in Uitenhage and Port Elizabeth in a futile bid to have the Ijtima cancelled. Our presence, therefore, at this debate was to seek clarification on the slanderous accusations made in the pamphlet against our Ulama. We had further organized this encounter to eliminate any misunderstanding and confusion created in the minds of Muslims by the lies traded in the pamphlet. Our purpose was not to discuss generalities, but was specific and restricted to the contents of the slanderous pamphlet. After much hedging and vain attempts at side-stepping, we prevailed upon the Bid'atee group to restrict the debate to the contents of the pamphlet of which they are the authors.

(2) During the course of the debate the lies contained in the pamphlet were so conclusively demonstrated to the public that the Bid'atee molvies dissociated themselves from the pamphlet denying knowledge of the pamphlet. This is in spite of the fact that year in and year out for the past few decades the Bid'atees publish and distribute pamphlets with the self-same vile, false and slanderous accusations levelled against our Ulama-e-Rabbaani.

(3) The confusion in the Bid'atee group was so great that at one stage their Molvee Abdur Ra-oof refused to translate certain arguments of their Molvee Noori of India. In refusing to do so, Molvee Abdur Ra-oof said that the arguments of Molvee Noori were "nonsense". This confused infighting in the Bid'atee group in full public view generated much mirth and laughter among members of the public.

The Bid'atee group time and again made vain attempts to appeal to the emotions of the public. They attempted to incite the public against us by their emotional calls, e.g. the Ulama of Deoband are *ghustaakh* (disrespectful) to Rasulullah (sallallahu alayhi wasallam). But their endeavours in this direction, besides being thwarted by Sheikh Abu Bakr, were greeted with mirth by the audience. This fact became apparent to Molvi Noori who remarked in Urdu to his colleague, the Mufti A'zam of the Bid'atee group: "These people are mocking us."

(5) The Mufti A'zam of the Bid'atee group was scandalously incompetent in matters pertaining to Arabic grammar which he was called on to answer in support of certain claims he made. He even failed to furnish an answer which was within the purview of a student in the first year Arabic classes of our Madaaris. This was pointed out to him.

(6) They persistently refused to answer simple and straightforward questions put to them pertaining directly to the 'proofs' which they tendered in substantiation of their claims. Their whole debate was one of trickery, side-tracking, lies, incompetence and *jahl*.

(7) It became clear to the public that these Bid'atees were no Ulama, but were fakes and impostors.

(8) The nail in their coffin of defeat on the first night of the debate was struck on their slander against our Ulama whom they accuse of believing that Allah Ta'ala CAN speak a lie and Allah Ta'ala HAS ALREADY spoken a lie--Na-ooth-ubillah! So supreme did confusion reign among them and so great was their fear on this question that they disclaimed the pamphlet in which they had levelled their *buhtaan-e-azeem* against our Ulama-e-Rabbaani. When asked for the *kitaab* in which this belief appears (the belief that Allah Ta'ala has already spoken a lie), they said that the *kitaab* is not in their possession although they had brought along with them a number of Urdu booklets and tracts. They travelled all the way to Port Elizabeth to debate with us and to force us "to admit our *kufr*"--to show to the public that our beliefs are clear-cut *kufr*--to 'prove' to the world that our Ulama-e-Rabbaani have accused Allah Azza Wa Jal of having spoken a lie--Na oothu billah!--and in substantiation of this vile lie and slanderous accusation they cite our *kitaabs*, giving page number and volume number, but when the proof is demanded they reply non-chalantly: "We don't have the *kitaab*." What a sad and disgusting commentary on the plaintiff in this case! Is this the behaviour and attitude of *Aashiqaan-e-Rasool*? Does their vociferous claims and slogans of *ishq* (love) for Rasulullah (sallallahu alayhi wasallam) constrain them to relish in the worst carrion of falsehood--in perpetrating deliberate lies and hoodwinking an unwary public in the name of Rasulullah (sallallahu alayhi wasallam)?

(9) When their lies and their falsehood--their trickery and their deception became manifest to the public, they took advantage of the fact the our public is not versed in URDU. Most audaciously they set about rejecting the correct translation of the Urdu in the *kitaab* from which they cited our beliefs. They clung to their glaring erroneous translation. We had at this stage reached an impasse. Our *kitaabs* clearly belied their accusations and their *baatil* translation of passages in the *kitaabs*, but here was a group of men laying claim to the *ishq* of Rasulullah (sallallahu alayhi wasallam), sitting in the House of Allah, donning long flowing robes of religion perpetrating the worst of lies and calumnies, deliberate fraud and trickery, distortion and deception--all in the name of *ishq-e-rasool*.

(10) This attitude and stance of deceit and fraud adopted by the Bid'atee group compelled us to ask them to join us in the act of *Mubaahal* which is a Sunnat demonstration of our Nabi (sallallahu alayhi wasallam) in defiance of the *baatil* of the *kuffaar*. It was put to them that the members of the Jamiatul Ulama will stand up, perform two Rak'ats Salaat and then invoke the *La'nat* (Curse) and *Ghazb* (Wrath) of Allah Ta'ala upon themselves and upon their families if what we are saying is false and *baatil*. Will they do likewise. They agreed but said that the *Mubaahal* will be resorted to after the debate. We hotly rejected this postponement and made it very clear that each time an impasse was reached on any of their accusations against us, we will resort to the *Mubaahal* test of *Haqq* of our Nabi (sallallahu alayhi wasallam). What had they to fear? They were the claimants of *ISHQ*—E—RASOOL! But they put up a great display of hesitation, dodging, ducking and diving, desperately trying to extricate themselves from the grave situation of *Mubaahal*. But we allowed them no escape. Fear was written across their faces. Their *baatil* was now plain for all to see. As a result of our insistence on immediate *Mubaahal*, the public quickly cleared the *fron saffs* and members of the Jamiatul Ulama rose, performed the two Rak'ats Salaat and our dua was made in English and audibly so that the public may be witness. In our dua we invoked the *La'nat* and the *Ghathab* of Allah upon us and our families if we were on the *baatil*. We supplicated unto Allah Ta'ala to utterly destroy us if what we or our Ulama-e-Rabbaani had said is false. It was now the turn of the Bid'atee group to play their part of the *Mubaahal*. The awful significance of the *Mubaahal* with its grave implications sank into the Bid'atee group. The claimants of *ishq-e-rasool* had now to play their part to establish their truth. But their mask of *baatil* and deception was thoroughly wripped off. We are certain that not a single member of the community present that night did not witness the unfurling of the *Haqq* and the disappearance of falsehood slinking away like a dog with its tail between its legs. There they sat, refusing to rise and demonstrate their truth. They sat glued to their places and mumbled imprecations against us. They had no guts to participate in the *Mubaahal*.

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The public thereupon loudly rebuked them. Public rebuke coupled with our insistence finally prevailed over them. They were constrained to rise and perform two Raka'ts Salaat. They now had no escape. They made their dua, seeking the *waseelah* of Ghauspaak and other Auliya. They cursed in their duaa--but their curses were directed exclusively against ourselves and not on themselves as we had done and as is done in *Mubaahalah*. They just had no guts to invoke the curse and the wrath of Allah Ta'ala upon themselves as our team of the Jamiat had done. They terminated their duaa without having invoked Allah's *La'nat* and *Qahr* on them if they were on the *baatil*. As they were about to take their seats, we objected and pointed out their deception to the public. Demands were made on them to renew their duaa invoking Curse and Wrath upon themselves if what they are saying is false. But the public was treated to a display of hedging and side-stepping. They asked: *Why should we invoke curses upon ourselves?* But they were prevailed upon to renew their duaa. Again they deceptively avoided the invocation of curse and wrath on themselves and directed their curses against us. Their fraud was by now thoroughly exposed. So clear was their *baatil* that Mr. Anwar Tiry, the eldest brother of the hosts of the Bid'atee group stepped forward to the mimbar and gestulating with his hands and expressing himself as best as he could in Urdu he said: "*Toem par la'nat.*", i.e. Invoke the curse on yourselves. With extreme reluctance they once again had to renew their duaa and in a display of words which we are certain was no duaa in their minds, they offered a weak and watered-down form of invocation of curse. This duaa made by them was shorn of the frills and trappings which compulsorily accompany their duaa. However, we allowed the matter to rest at that. The truth had already been proven.

(11) The debate then passed on to the next question. Again they could adduce no sound argument in substantiation of their claim. All this is recorded on tape, which shall, Insha'Allah, be made available to the public in the near future.

(12) In this first encounter the Bid'atee group behaved like a punch-drunk man. Vision blurred and mind befogged, they were unable to think clearly and rationally.

(13) The debate was adjourned at about 2 a.m., after five hours of pounding which the Bid'atee group had to endure.

THE SECOND NIGHT OF THE DEBATE

The pounding suffered by the Bid'atee group on the night of the first encounter was more than what they had bargained for. They desperately required reinforcements. In consequence, they sent out an SOS. In reply to their call for help, four other molvies of the Bid'atee group flew into Port Elizabeth on Tuesday 22nd December to bolster the tottering Bid'atee team in Uitenhage. Among the new-comers was Molvi Mukaddam from Pretoria. The identities of the other three remained concealed from us. But, the Bid'atee "STOP PRESS" pamphlet distributed in Durban on 25th December, 1981 makes absolutely no mention of the reinforcements sent to aid their Mufti A'zam & Co..

The following are noteworthy events of the second night's debate:

(1) Molvie Noori of India, a senior member of the Bid'atee team, totally abstained from the debate. Not a word was uttered by this Molvi on the second night.

(2) The Bid'atee Mufti A'zam Mahmood Qadri of Pakistan likewise took a backseat. For all practical purposes he abstained from the debate. Occasionally he would make some emotional noises and interjections in a vain attempt to assist his floundering fledglings, viz. Mukaddam & Co.

(3) The previous night's pounding had knocked some sense of reality in the Bid'atee group. They had now realized their gross incompetence to debate along *ilmi* lines, hence Molvi Mukaddam at the outset of the debate stated that we had taken advantage of their Molvies the previous night because of "a communication gap". This allegation is indeed laughable. The Bid'atee STOP PRESS pamphlet acclaims the "team" which confronted us in the following glowing terms:

"Mufti Mahmood Hassan Qadri and Maulana Abdul Majid Noori who formed the powerful team that represented the Sunnis of South Africa."

How come that their "powerful team" out to represent the "Sunnis" of South Africa was such a push-over for us? How was it possible for us to have taken advantage over such a supposedly "powerful team" supposedly defending the honour of Nabi (sallallahu alayhi wasallam)? They presented the cream of their brains to us, but they are now cowering that we had taken advantage over their great ones. We were engaged in a debate. In so far as we were concerned, we were not trifling with a joke. It was a matter between truth and falsehood. It was therefore imperative that we hit hard in order to flush out the lies in which the Ahl-e-Bid'ah specialize. Furthermore, their Molvie Abdurraof was sufficiently versed with English to cope with the situation. They were supposed to be "powerful" men of knowledge, but they turned out to be a miserable lot of *baatil*.

From the very outset (as the tapes will prove) of the proceedings, Molvie Mukaddam vainly attempted to disrupt the proceedings, but was checked by

(3) Molvie Abdur Ra-oof likewise attempted to call off the debate by raising the fear of "strong-arm" tactics which he was suspecting in his imagination. He referred to "suspicious movements" behind him and argued for the cancellation of the debate. But, he was thwarted in his attempt to scuttle the debate. We gave them the assurance that from our side there will be no strong-arm tactics and Sheikh Abu Bakr gave a similar assurance "on my life".

(6) At the beginning of the debate on the second night, Molvie Abdur Ra-oof once again made a desperate bid to side-step the slanderous pamphlet which was the main cause of the *fitnah* and conflict. He made a vociferous plea to us "not to restrict ourselves" to the accusations on the pamphlet. But he was not allowed this avenue of escape. The Bid'atee group was pinned down to the pamphlet of slander for which they had suddenly become so scared. We insisted that the debate continue from the point where we had terminated the night before, and our insistence prevailed.

(7) The Bid'atees had no Shar'i proof to offer in defence of their slanders against our Ulama-e-Rabbaani. Their prime tactic in the debate was to drift from the question under debate. They made desperate attempts to shake us off from the trail hot in their pursuit. Their plan was clearly to save face by diversion. But this did not avail them.

(8) Their mode of argument entailed the citing of an aayat of the Qur'aan Shareef in substantiation of their claim, but when the applicability and relevance of the aayat to their specific claim was challenged, they sought to produce further "proof" without having adequately answered and explained the applicability of their first 'proof'. But, again we did not allow them to perpetrate this trick of diversion and deception. Again and again they were hauled back to the specific points being debated. Their quandary and their incompetence in *ilm* was manifest to even the public.

(9) At about 11 p.m. the Bid'atee group discerned its dismal end. Their Molvie Mukaddam of Pretoria after having participated only about 90 minutes

in the debate said that it was getting late. We responded that the debate will continue until Fajr and the next day as well as the day thereafter if necessary. We continued. But the pace was too hot for Molvie Mukaddam who withdrew for a shortwhile to "take a breather".

(10) Soon after Mukaddam's withdrawal Molvie Abdur Ra-oof also withdrew and rested in the adjacent Jamaat Khaanah.

(11) Both returned after a short while, but there was absolutely no progress in the debate since the Bid'atees could not answer simple questions pertaining to their *proofs* nor were they prepared to retract their erroneous constructions of *proof*.

(12) At one stage Molvie Mukaddam made a deprecatory remark about the kitaab Fataawa Rasheediyyah. Sheikh Abu Bakr enquired from him as to "what is wrong with the kitaab?", but Molvi Mukaddam could give no satisfactory answer. We then endeavoured to rectify the false image which may have been created in the minds of the public by the statement of Molvie Mukaddam. Towards this end we proposed to read out the veiws of the Hanafi, Shaafi and Hambali Ulama of Makkah Mukarramah. We proposed to apprise the public of the glowing terms in which these great Ulama had referred to Hadhrat Allaamah Rashid Ahmed Gangohi (rahmatullah alayhi), the author of Fataawa Rasheediyyah. The response to this proposal was hysterical from the Bid'atee side. Much time was wasted in argument on this proposal, the Bid'atees vehemently opposing the move to apprise the public. Finally our insistence and the public's insistence prevailed and Sheikh Abu Bakr asked us to read the comments of the Ulama of Makkah Mukarramah. This was done. The morale of the Bid'atee group sustained further shattering when the veiws of the Ulama of Makkah were made public.

(13) The debate ended at 12.15 a.m. in deadlock with Molvie Mukaddam making the proposal that since some of them had to depart the next day, we should continue the debate by means of correspondence and tape-recordings. The tape-recordings on the night's proceeding will amply support our claim that we made a strong endeavour for the continuance of the debate the following day and the day thereafter which was a public holiday. We pointed out to them that even if some of them had to leave tomorrow, others of their group will be remaining. There is therefore no reason to discontinue the debate especially since they travelled all the way to Port Elizabeth for this specific purpose. They were also reminded that the debate had initiated the previous night with their top men and these top men will be remaining the next day after the departure of some of their group. To make it easy for them we offered to even conduct the debate in privacy behind close doors with a few responsible members of the community sitting as observers. But this too was not acceptable to them. They unreasonably clung to the possible departure of some of them the next day. They then suggested that we come over to Durban to continue the debate. We responded that going to Durban for this purpose was also acceptable to us, but the issue at hand was to conclude the debate here where they had come. Afterall, this was their purpose in having darkened our soil and sowing the seeds of *fitnah* with their falsehood. How can they now retreat so inconclusively? The encounter ended inconclusively. We, however, promised them that we will make an effort the following day to once again engage them in debate.

(14) We made it quite clear to them that the question of continuing the 'debate' by means of correspondence was only a last resort.

(15) The following morning, Wednesday 23rd December, we delivered a letter to them emphasising the need to continue the debate while they are still here. The following is a copy of our letter:

(16) The whole day passed by without any response from them. We further endeavoured to arrange the continuance of the debate with them via the agency of Sheikh Abu Bakr, but we were not successful in this attempt.

(17) At 1.30 p.m. on Thursday 24th December 1981, Sheikh Abu Bakr delivered their reply to us. A copy of their letter appears hereunder. The public may judge their reaction. Their defeat was now conclusive.

(18) Another whole day (Thursday 24th) also passed by with the whole miserable lot hiding in Uitenhage refusing to engage us in debate.

(20) Even on Friday, the most cunning of the Bid'ati group, who claimed that he had to leave the following day, was still here in Port Elizabeth. Lies are the capital of the Ahle Bid'ah. His presence here even on Friday-- three days after the debate--clearly belies his excuse of "urgent commitments". It was reported to us that he was in Port Elizabeth even during the evening of Sunday 27th December. This then is their 'courage' and their 'determination' to stand up for their conception of *ishq-e-rasool*.

(20) The Bid'ati mob is now desperately attempting to salvage something of its wrecked and battered reputation by playing up the fact that we had said that we are prepared to go even to Durban for the debate. But let this ploy not dupe the public. In its examination of this encounter with the Bid'ati group and when forming its conclusion, the public should bear in mind the following facts:

(a) The Jamiatul Ulama neither challenged nor invited the Bid'ati group to Port Elizabeth or Uitenhage for a debate or discussion. We had absolutely no knowledge of their impending trip to Port Elizabeth and Uitenhage. We first realized their coming when some anonymous pamphlets were distributed on the streets.

(b) Even before they had arrived in Port Elizabeth and Uitenhage pamphlets were distributed conveying the impression to the general public that we had entered into some agreement to debate with them at Musjidut Taqwaa on Sunday night 20th December, 1981. But this was far, far from the truth.

(c) According to their pamphlet they came to Port Elizabeth for the specific purpose of "forcing" the Deobandi Ulama to "admit their kufr". They came here to debate with us, but their two encounters with us demonstrated their gross *baatil* and falsehood. After only two meetings with us they threw in the towel and proposed the continuance of the "debate" by means of correspondence and tape-recordings--a task the impossibility of which is manifest to every reasonable person. This was their proposal, not ours.

(d) After their encounter with us they remained two full days and some of them three days, in hiding in Uitenhage. It was impossible to contact them by even telephone. They had broken off all communication with us. In fact they deliberately disrupted any co-operation with us by means of their abusive letter which appears elsewhere in this bulletin. They refused our repeated requests to debate despite the fact that they were here days after the encounter.

(f) They refused to debate and discuss even behind closed doors.

(g) They had all the time in the world at their disposal to pursue the debate and the object of their visit, but their concealment and refusal to pursue their purpose are admissions of defeat.

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QUESTIONS and ANSWERS

MUSLIM ULAMA OF S A
P O BOX 3393
JH1 ELIZABETH

Q. The Ulama of Deoband have been accused by certain people of holding the following beliefs:

1. The Almighty Allah can speak a lie and that Allah has already spoken a lie.
2. The Holy Prophet has an education like that of children, lunatics and animals of every category.
3. Prophets are not free of sins.
4. Shaitaan has more education than the Prophet.

To what extent are these accusations true? Is it possible for the Ulama of Islam to entertain such beliefs? Please enlighten us.

A. The worst Muslim--that Muslim who will be emerging from Jahannam the very last, does not and cannot entertain such vile beliefs as listed above. The accusations levelled by the Dajjaals of the Bid'ati group are slanders of the worst kind hurled against the Ulama-e-Rabbaani, Ulama-e-Haqqaani of Deoband. Not a single Star from that glittering galaxy of Shar'i Uloom, Taqwaa and Ma'rifat ever propagated or wrote such kufr and blasphemy as the ahle bid'ah vociferously and slanderously assert. They are guilty of *buhtaan-e-Azem*, the disastrous and destructive consequences of which they will never escape if they do not make *taubah*. May Allah Ta'ala grant them *hidaayat* so that their hearts and their breasts open up to see the miserable carrion of *baatil* which they are presently devouring and relishing.

Q. At the graves of the Auliya it has been seen that some of the caretakers smoke dagga. They maintain that smoking such intoxicants is spiritually exhilarating and that because of their elevated rank and close proximity with the Shariat they are not obligated to the observance of the external law of the Shariat. Please enlighten us.

A. Every MUSlim, no matter what his rank and position may be, is obliged to observe the laws, the restrictions, the commands and the prohibitions of the Deen. Dagga and the like are forbidden. The *mujaawars* (caretakers) perpetrating their heinous crime of dagga-smoking in the name of religion are human shayaateen--devils in human form--beings with human bodies and the hearts of shayaateen.

Q. What is the Islamic veiwpoint on the use of animals for scientific experiments(vivisection)?

A. Vivisection as we understand it is the performance of surgical experiments on living animals. We understand thereby that wounds and pain are inflicted on the animals. Rasulullah (sallallahu alayhi wasallam) forbade the infliction of wounds and undue pain on animals even when the animals have to be slaughtered for purposes of consumption. The lawful method of killing an animal under normal circumstances is Shar'i *thabah*. However, it is not permissible to inflict pain on animals and wound them for purposes of experimentation. Vivisection is therefore, not permissible. And, Allah knows best. I have been told that interest money cannot be used for one's personal expenses even if that is a widow's only source of income. What is the ruling of the Shariah on this?

A. Interest is haraam. It is not permissible to establish interest as one's source of income. It is not lawful for any Muslim to devour such haraam money. Interest is a form of ribaa which is abhorred by the Shariat. Among the numerous ahaadith which revile ribaa, one hadith states:

"Ribaa is worse than seventy major sins, the lightest of which is like committing fornication with one's mother."

Interest money and any other haraam money, the owners of which are not known and therefore cannot be returned to them, have compulsorily to be given to the poor without a niyyat of sawaab. Such haraam monies are termed in the Shariat, *Wajibut Tasadduq*. If such haraam money reaches the poor via the channel of *Tasadduq*, then it will be permissible for the poor to use it for their own needs. Hence, if one who possesses such haraam money is unable to locate the true owners of the money, gives it to the poor, it will be permissible for the latter to use it. But it is not lawful for the poor to invest any money in haraam enterprises from which haraam earnings are obtained.

Q. I am a convert Muslim and I will appreciate it if you will furnish the veiw of the Shariah on the following questions:

- a. Are family photos and portraits haraam?
- b. Cutting the lady's hair?
- c. May we sleep in the praying area of the Mosque with the intention of I'tikaaf?
- d. If a Muslim offers me food which I strongly believe not to be halaal, is it mandatory to politely reject?
- e. Should wudhu water be wiped dry from the face, arms and feet before prayer?

A. (a) All pictures, photos and portraits of living beings--human beings or animals--are haraam. Rasulullah (sallallahu alayhi wasallam) said that the Angels of Mercy do not enter a home in which such pictures are kept.

(b) It is not permissible for a lady to cut her hair.

(c) It is permissible to sleep in the Mosque with the intention of I'tikaaf.

(d) If there is strong indication that the food offered by a Muslim is not halaal, then it is not lawful to participate of such food. You are in such a case obliged to refuse.

(e) It is preferable, but not obligatory, to wipe the water after having made wudhu.

Q. Is there any special faatehah to be recited after the Janaazah Namaaz? Some recite a faatehah and some don't.

A. After Janaazah Salaat there is no faatehah or dua'a to be recited. In fact, the Janaazah Salaat in itself is the dua'a for the mayyit (deceased). Reciting a dua'a after Janaazah Salaat is a bid'ah practice which must be shunned.

Q. Our Imaam recites the thikr of Laailaha illallahu 10 times after the tasbeeh, Subhaanallaah 33 times, Alhamdulillah 33 times and Allahu Akbar 34 times. This procedure is done with the whole congregation aloud. Is this in order?

A. The manner in which your Imaam recites the thikr is innovatory (bid'ah) and is not countenanced by the Shariat. The Sunnat method of reciting the Tasbeeh is to recite it silently and individually--not aloud and in unison. The Sunnat occasions of reciting these Tasbeeh are after the Fardh Salaat of Fajr; after completing all the Sunnat and Nafl of Zuhr; after the Fardh of Asr; after the Sunnat and Nafl of Maghrib, and after the Sunnat and Nafl of Isha.

Q. Our Imaam makes musaafahah [shakes hands] with the congregation daily after Fajr Namaaz. Is this custom in order?

A. The custom of shaking hands after the daily Salaat is bid'ah. It is not a Sunnat practice. It is necessary to abstain from it.

Q. After Juma' Namaaz and the dua'a which the Imaam makes aloud, he recites a certain form of thikr aloud five times in unison with the congregation Is this correct?

A. This form of thikr is also bid'ah and has no sanction in the Sunnah of our Nabi (sallallahu alayhi wasallam).

Q. A brother informed us that all toothpastes are haraam. Please advise us on this matter.

A. To the best of our knowledge toothpaste is not haraam. We have nothing to prove that it is haraam. The one who claims that tooth paste is haraam must furnish his proof.

Q. There has been an argument at our school. Some students say that there is nothing wrong with chess while others say that it is not permissible to play chess. What does the Shariat say?

A. Rasulullah (sallallahu alayhi wasallam) said:

"He who plays chess is like one who has dipped his hands in the blood of a pig." Many sayings of our Nabi (sallallahu alayhi wasallam) warn against chess and other games of diversion--games which divert one from the remembrance of Allah, which is the sole purpose of our creation. In short, life is too short, too serious and too valuable for a Muslim to indulge in diversions and distractions. Our moments here on earth should not be squandered in futility and diversions. Allah Ta'ala will question us in this regard. Our health, wealth, youth and time all will fall within the scope of Divine Question and Reprimand. It is essential that the Mu'min whose gaze has to be focussed on the Akhirat should abstain from such games and diversions and ENGAGE IN THE THIKR OF Allah--thikr while walking, sitting, laying down--while working and while reclining. The twenty four hours of a Mu'min's life has compulsorily to be encompassed by the thikr of Allah. Chafat (forgetfulness and negligence) in this sphere is disastrous to our rooh. The harm of diversikon and futility will be discerned only when it is too late to regret. May Allah Azza Wa Jal secure our Akhirat, Ameen.

Q. How long does the time for Maghrib Namaaz lasts?

A. The time for Maghrib Salaat commences immediately after sunset and remains until the disappearance of *shufuq-e-abyadh* or the whitish glow in the western horizon after the red glow. However, it is best to perform Maghrib Salaat as soon as possible after the sun has set.

Q. How long should the Qiraa't be in the Maghrib Fardh Namaaz?

A. It is mustahab to recite the Surahs belonging to the division known as *Qasaar-e-Mufassal*, i.e. the Surahs from *Lam Yakun* to the end of the Qur'aan Shareef.

Q. I am a doctor who endeavours to be of service to others. I consider my services to be an asset to mankind. The type of service in which I am involved I feel that it is superior to many kinds of worship. I make a point of rendering much free service to the poor. As a result of pressure of work I am not able to perform my Namaaz regularly. However, I do see that I do not miss my Juma' Namaaz. I do not make qaza of the Namaaz which I miss as I am of the opinion that my services to Allah's creatures will compensate for the Namaaz which I had missed because of my duties and services to mankind. I had a heated argument with a brother who contends that there is no forgiveness for Namaaz omitted and that I am obliged to perform all the past Namaaz which I had omitted. What is your veiw on the matter?

A. We have no veiw on the matter. But the Shariat of Allah Ta'ala has its veiw. Salaat or Namaaz is Fardh-- compulsory. A lifetime of service--sincere service--to mankind can never compensate for the loss of a single Fardh Salaat. Although service to mankind is a meritorious activity, the sawaab of which is great, nevertheless, Allah Ta'ala did not create us primarily for this or any other purpose. The purpose of Him creating us and sending us to earth is stated very explicitly by the Qur'aan-e-Kareem:

"I have not created jinn and man, but that they make My Ibaadat."

Ibaadat in this context refers to pure Ibaadat, viz., Salaat, Tilaawat, Thikr, Hajj, Fasting, etc.--and not ibaadat in the figurative sense, e.g. service to mankind. The importance of service to mankind is not minimized, but in relation to Salaat is of absolutely no significance. In not discharging the obligation of Salaat you are hovering and tottering at the brink of kufr, for our Nabi (sallallahu alayhi wasallam) said:

"He who deliberately neglects Salaat has committed kufr."

It is fardh upon you to perform your daily Salaat on time and it is absolutely necessary to make qadhaa of ALL the past Salaat which you have omitted. There is no other way out. Forgiveness is not possible while you have the physical capability of discharging your Fardh duty. In your own interests it is best that you commence immediately with the qadhaa of your Salaat missed over the years. And, may Allah Ta'ala assist you therein.

Q. Our Imaam has recently started a new practice on Juma'. After having recited the first khutbah in Arabic on the mimbar, he gives an English translation of it also standing on the mimbar. This translation is given after the first khutbah, but before the second khutbah. Upon completing the translation he commences the second khutbah. What is the Shariat's verdict on this practice?

A. It is not permissible to perform the khutbah in the manner described by you. The practice innovated by your Imaam is *bid'ah dhalaalah*--an innovation which leads astray--an innovation which displaces the Sunnat practice of Nabi (sallallahu alayhi wasallam) and of his illustrious Sahaabah (radiallahu anhum). It is essential to bring pressure on the Imaam to desist from this abominable anti-Sunnah practice.

Q. From which place is the Azaan to be given--from inside the Mosque or from outside? Some Mosques have the Azaan recited from inside.

A. The correct place is on a raised place outside the Musjid.

Q. Certain quaters claim that Imaam Mahdi is not a reality. They say that there is no such promised person.

A. Imaam Mahdi (alayhis salaam) is a Shar'i reality. His advent towards the Last Days is Shar'i news and information which have been reliably and authoritatively transmitted in the Ummah since the past fourteen hundred years. The *Jamhoor Ulama of Islam* record *Ijma'* (consensus of opinion) on this fact. Not

QUESTIONS and ANSWERS

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a single authority of the Shariat has dissented with this fact. Any contrary opinion should be dismissed as baseless.

Q. *Hisaab [Reckoning] and reward and punishment of Jannat and Jahannam respectively are events relating to Qiyaamat. But on the Night of Mi'raaj Rasulullah [sallallahu alayhi wasallam] saw these events actually happening. How can this be reconciled?*

A. The vision of these events on the Night of Mi'raaj was related to the realm of *kashf* which is a form of revelation. Through this medium future events were shown. This should not be misunderstood to mean that the actual Mi'raaj Journey was a spiritual experience only as is the *baatil* belief of some people. The Mi'raaj Journey of our Nabi (sallallahu alayhi wasallam) was a physical journey undertaken with the physical body. On this journey numerous physical and spiritual wonders and mysteries were shown and revealed to Rasululah (sallallahu alayhi wasallam).

Q. *Is transplanting of human organs permissible?*

A. Use of human organs or any part of the human body is not permissible. Transplanting of human organs is therefore *haraam*.

Q. *I have been given to understand that when we stand and recite the salaami, the soul of our Nabi [sallallahu alayhi wasallam] presents itself in the gathering. Is there any basis for this belief in the Qur'aan or Hadith?*

A. There is absolutely no basis for this false belief. Rasulullah's (sallallahu alayhi wasallam) *Roo'h-e-mubaarak* does not attend salaami gatherings. Assume that a hundred salaami gatherings take place all at the same time in various places of the world. On the basis of this belief it follows that Rasululah (sallallahu alayhi wasallam) will be present at all these gatherings at one and the same time. This belief entails the presence of Rasulullah (sallallahu alayhi wasallam) here there and everywhere at the same time. This belief thus confers the attribute of omnipresence to our Nabi (sallallahu alayhi wasallam) while the Attribute of Omnipresence is exclusive to Allah Ta'ala. This belief pertaining to salaami is therefore *shirk* (polytheism). The Qur'aan Shareef commands that we refrain from committing excesses in our Deen. This belief of *shirk* is one such excess the *Ahl-e-Bid'ah* are guilty of. It is therefore not permissible to participate in the salaami functions organized by the *Bid'atis* (Innovators).

Q. *Some people say that our Nabi [sallallahu alayhi wasallam] is Aalimul Ghaib. Is this a fact of the Shariat?*

A. The only being who is *Aalimul Ghaib* (The Knower of the *Ghaib*) is Allah Ta'ala. In believing our Nabi (sallallahu alayhi wasallam) to be *Aalimul Ghaib*, the propounders of the belief are guilty of *shirk* because *Ilm-e-Ghaib* is the exclusive prerogative and attribute of Allah Azza Wa Jal. There is absolutely no sanction in the Shariat for predicating the belief of *Ilm-e-Ghaib* to Rasululah (sallallahu alayhi wasallam).

Q. *My wife does not observe purdah. She mixes freely with her cousins and other males of the prohibited category. I do not reprimand her as I wish to keep peace. Am I failing in my duty in my silence? Should I speak to her about this act of transgression?*

A. Rasulullah (sallallahu alayhi wasallam) said that everyone among us is a shepherd and every shepherd will be questioned about his/her flock. Your wife is a member of your flock. She is your responsibility. Furthermore, the Qur'aan Shareef commands: "Save yourselves and your families from the fire." If you desist from exhorting your wife in regard to her neglect of purdah you will be failing in your Islamic duty and be guilty of a grave sin. Rasulullah (sallallahu alayhi wasallam) termed a man who allows his wife to mingle with males, a *dayyoos* (one who lives by the prostitution of his wife).

Q. *Is there any reality in stories about jinn troubling people? What are ghosts?*

A. Jinn is a creation of Allah Ta'ala. The Qur'aan speaks about jinn as the creation of Allah Ta'ala. Among jinn both pious and evil are to be found. Jinn has the power to interfere with man and they do trouble people. Ghosts, in fact are jinn.

Q. *It is said that on the Night of Mi'raaj, Ghaus-e-paak led Nabi [sallallahu alayhi wasallam] from Sidratul Muntahaa to the place where he saw Allah Ta'ala. Is there any Shar'i basis for this story?*

A. This story is pure fabrication. The one who has narrated this falsity is accursed.

Q. *Is it permissible for a woman to remove hairs from the thighs and legs?*

A. It is permissible.

Q. *What does the Shariat say about Muslims participating in inter-religious prayer services?*

A. It is a *kabeerah* (major) sin to participate in such prayer services. A Muslim is not allowed to strike up any accord with kufr and *shirk*. Muslims should never participate in such forms of worship and prayer.

Q. *There is an acute scarcity of homes. This is a fact which cannot be disputed. We have to suffer much inconvenience and pay exorbitant rents hiring basements and rooms which are cramped and dampy. Under such circumstances is it permissible to accept a bond from a building society and build a house?*

A. It is not permissible. Building society bonds are *riba* bearing loans. The prohibition of *riba* is extremely severe. We are living in a temporary world in which Allah Ta'ala has sent us for a test and trial. The reward of *sabr* will be seen in the *Aakhirat*. If Allah Ta'ala had desired to maintain us in only luxury and comfort, He would have left us in *Jannat* and not despatch us here to this abode of labour and toil. You are in a testing ground. You will have to toil and sweat along this sojourn which will lead you finally back home to *Jannat*.

Q. *I have heard from one Maulana that it is not permissible to catch fish with live bait. What do you say in this regard?*

A. It is a brutal act to insert live bait in the hook. Those who do so are utterly devoid of mercy. Their hearts are as hard as stone or more appropriate, in the words of the Qur'aan: "Harder than stone". The Shariat forbids torture to animals. Animals no matter how tiny, are sensitive to pain. It is not permissible to catch fish with live bait.

Q. *I have read in The Majlis that according to the Hanafi math-hab only fish of sea-animals is halaal. What about the use of substances from sea-animals in medicines? Will such medicines also be haraam?*

A. Medicines containing substances derived from aquatic animals are *halaal* according to the Hanafi Math-hab. The principle of *only fish* applies to only consumption as food.

Q. *What is the reality of the stories about Khizr?*

A. Khizr (alayhis salaam) is a Shar'i reality. He is now many thousands of years old. He is still alive and perform various duties which Allah Ta'ala assigns to him. Numerous Auliya have personally met him.



CARRION OF

Bid'ah

Falsehood is the carrion on which *bid'ah* lives. Falsehood the the natural food, in fact the life-blood of *bid'ah*. BID'AH or innovation is the introduction of practices, beliefs and customs into the Deen--beliefs, practices and customs which have absolutely no Shar'i basis nor are such affairs sanctioned by the Shariat. The practices of *bid'ah* are introduced cunningly into the framework of the Deen under the guise of *ibaadat*. Such alien practices assume the forms of worship and are invariably assigned a lofty rank by their votaries. In fact, *bid'ah* practices in most cases are promoted to the category of *Wujoob and Fardh*. In consequence of the *baatil* honorary status of compulsion conferred upon such *baatil* affairs, the proponents of *bid'ah* are most vociferous in labelling the adherents of the Sunnah and the rejectors of *bid'ah* as being *kaafir*. It has been seen that the *ahl-e-bid'ah* specialize in declarations of kufr--kufr directed against some of the loftiest souls and Stars of the Deen. This is then the trade of the people of *bid'ah*. Their survival as a pernicious force is inextricably interwoven with falsehood. Separate the falsehood from *bid'ah* and there will remain no falsehood. Thus *baatil--falsehood--* is synonymous with *bid'ah*. And, such *baatil* is the antithesis of Imaan.

SLANDER

Their falsehood is so thoroughly ingrained in them that they utter without compunction the worst of lies, calumnies and slanders against the noblest Ulama and Auliya of Islam--against some of the finest Heirs of Rasulullah (sallallahu alayhi wasallam). And they compound their blasphemy by hurling such slanders against the Ulama-e-Rabbaani in the name of *Ishq-e-Rasool* (Love of the Rasool-- sallallahu alayhi wasallam). We thus see that they accuse noble Ulama of the calibre of Hadhrat Maulana Rashid Ahmad Gangohi, Hadhrat Ismail Shaheed, Hadhrat Maulana Caasim Naanotwi, Hadhrat Maulana Ashraf Ali Thanvi, etc (Rahmatullah alayhim) of such lies which the worst Muslim will not dare to think, leave alone utter. How is it possible for such noble and celestial souls to utter statements such as: "Nabi [sallallahu alayhi wasallam] knowledge was equal to that of lunatics and animals. Allah Ta'ala spoke lies. Shaitaan is superior in knowledge than Rasulullah [sallallahu alayhi wasallam], etc." No sane and reasonable Muslim can accept that Ulama of the calibre listed could have uttered such vile kufr. The illustrious Ulama of Deoband sacrificed their entire lives for the Sunnah of our Nabi (sallallahu alayhi wasallam). They contributed and dedicated their whole lives towards the Knowledge of the Deen. They left no stone unturned in their noble endeavours to revive and establish the Haqq, the true Deen, the pure and simple Deen as expounded by Rasulullah (sallallahu alayhi wasallam). But, these villains, the *Bid'atis*, dare sit in the House of Allah and revile these noble souls of Islam. Let them beware! Allah will break their necks. An intelligent observer will not fail to discern the evil and the *la'nat* which has coloured their faces. Never will you discern *Noor* on their faces. Their faces are perpetually darkened with their falsehood. It is imperative that Muslims beware of these wolves who are out to devour Imaan with their *baatil* and their slander hurled against the Ulama-e-Rabbaani. Rasulullah (sallallahu alayhi wasallam) predicting about such robbers of Imaan averred that they will men disguised in long flowing religious robes. Their tongues will be sweeter than sugar, but their hearts will be the hearts of wolves. They wrought irreparable destruction to the Imaan of the unwary.

DISPLACEMENT

Bid'ah is the antithesis of Sunnah, hence Rasulullah (sallallahu alayhi wasallam) said that every *bid'ah* displaces a Sunnat. Every act of *Ibaadat* commanded by the Shariat has its Sunnat way of execution. If the *Ibaadat* is rendered in a manner divergent or contrary to the Sunnat, it will be the displacement of that Sunnat method imparted to us by Rasulullah (sallallahu alayhi wasallam). Since a man of *bid'ah* is a murderer of the Sunnah, Rasulullah (sallallahu alayhi wasallam) has warned against honouring a *bid'ati*. A *bid'ati* in fact is among the worst enemies of the Deen and Allah for he is out to destroy the Deen of Allah Ta'ala. They claim to possess the love of Rasulullah (sallallahu alayhi wasallam), they raise vociferous slogans of *ishq-e-rasool*, but their every act is contrary to the Sunnah of that Nabi (sallallahu alayhi wasallam) whose lovers they claim to be. They scream the love of the Nabi (sallallahu alayhi wasallam) from the roof-tops, but they sit inside the Masjid and feast on the worst of carrion--on slander, *buhtaan* and *baatil*.

BRAZEN FALSEHOOD

The degree of their falsehood is indeed revolting. In their nefarious attempts to hoodwink ignorant and unwary people--to con the unsuspecting and defraud them of their money in the name of religion-- these parasites who suck the blood of Imaan shamelessly cite page numbers and volume numbers from the Kitaabs of our Ulama-e-Rabbaani in their despicable efforts to discredit these lofty souls in the eyes of the public. They thus trade lie upon lie in this brazen fashion. These are such people whose hearts are absolutely devoid of the slightest vestige of *khauf* (fear) for Allah Ta'ala. They are people whose hearts have become *maskh*--disfigured and sealed. One great saint took oath by Allah and said that if the grave of a certain leader of these *bid'atis* is opened, it will be discovered that his face has been turned away from the Qiblah. Yes, so it will be with these villains who are out to plunder the Sunnah of our Nabi (sallallahu alayhi wasallam). Why should their faces be towards the Qiblah? It is only logical that the Direction of the Qiblah cannot bear the villainy of their faces, hence the awful fate which awaits them in -PIVOT OF THEIR DEEN

Their entire Deen centres around *bid'ah* practices such as *urs*, *salaami* and *faatehah*. They have nothing else to speak about. They are ignorant--deliberately ignorant-- of the fundamentals of Islam, but they are specialists in their *bid'ah* customs and beliefs. Wherever they go, it is perpetually *urs*, *meelaad*, *faatehah*, etc. Can any unbiased person stand up and honestly say that he has heard at any time any intelligent talk from the *ahl-e-bid'ah*? Wherever they are their subjects of talk are always the same salaam and *urs* with regular monotony--and their talks are everlastingly filled with imprecations and villifications for the Ulama-e-Rabbaani of Deoband. Their faithn is *shirk* and their practice is *bid'ah*. Muslims must therefore beware!





BID'AH — DESTRUCT

DECEPTION OF

"ADDING BEAUTY TO THE SUNNAH"

The Ahle Bid'ah (people of bid'ah) have all along endeavoured and laboured to confuse the minds of the unwary and ignorant by misinterpretation and manipulation of the terms 'bid'ah' and 'sunnat'. They attempt to seek sanction and justification for their evil bid'ah practices of meelad, salaami, faatehah thaani, etc. by vainly toiling to slip in these practices under the condonable technical bid'ah category defined in Islamic Jurisprudence. The innocent public is befuddled by such trickery and manipulation, but those of knowledge know the deception that these 'shayaateen in human bodies' are perpetrating under the hollow facade of 'beautifying the Sunnah'.

The bid'atees (innovators of evil bid'ah) claim that their practice of salaami and meelad "add beauty to Sunnat", hence such practices are categorized as 'Bid'ah Hasanah' which does not conflict with the Sunnah of Rasulullah (sallallahu alayhi wasallam). In attempting to pass their evil bid'ah off as Bid'ah Hasanah, the bid'atees lump these practices together with such laudable and necessary institutions as Madaaris, Khanqahs and practices such as the compilation of the Quraan and Hadith in book form. They thus argue that their meelad and salaami customs are like the Bid'ah Hasanah practices of the Madressas, Quraan and Hadith compilation, and the formulation of Fiqh. Insha'Allah, it will be shown that the meelad and salaami of the Ahle Bid'ah are bid'ah sayyiah (evil innovation) practices and not Bid'ah Hasanah or practices which "add beauty to the Sunnah" of our Nabi (sallallahu alayhi wasallam).

The people of bid'ah have committed a basic and a fundamental error in their understanding of the meaning of 'SUNNAT', and because of their misconception of the meaning of Sunnat they fumble around in utter confusion - confusing evil practices with holy and essential institutions imperative for the safeguarding of the ORIGINAL Deen of Allah Ta'ala. The Ahle Bid'ah understand by Sunnat only such acts which were practiced by Rasulullah (sallallahu alayhi wasallam) whereas 'Sunnat' cover both practice and abstention of Nabi (sallallahu alayhi wasallam). In the Shariah, Rasulullah's (sallallahu alayhi wasallam) abstention is also Sunnat and as such, daleel or proof for a claim. Hadhrat Mullah Ali Qaari (R.A.) explains in Mirqaat:

"Mutaaba'ah (following or obedience) is in both practice and in abstention (tark). Therefore, he who is constant in practicing on an act which was not practiced by Rasulullah (sallallahu alayhi wasallam) is a bid'atee."

Shaikh Abdul Haqq Muhaddith Dahlawi (R.A.) states in Ash'atul Lama'at in this regard:

"Like following is Waajib in acts so is it Waajib in abstention (tark). Therefore, he who is constant in an act which was not practiced by Rasulullah (sallallahu alayhi wasallam) is a bid'atee."

In Sharhe Musnad Imaam Abu Hanifah (R.A.) it appears: *"Like 'ittiba' (to follow, to obey) is in practice (fe'l) so is it in abstention (tark). Therefore, he who is constant in a practice not rendered by Rasulullah (sallallahu alayhi wasallam) is a bid'atee because it (constancy in such an act) comes under the purview of Rasulullah's (sallallahu alayhi wasallam) statement: 'He who practices an act on which there is not our proof, it is rejected'."*

Imaam Allaamah Sayyid Jamaaluddin Muhaddith said: *"The abstention of Rasulullah (sallallahu alayhi wasallam) is Sunnat just like his action is Sunnat."*

From the aforementioned quotations it will be understood that Rasulullah's (sallallahu alayhi wasallam) abstention or refraining from certain acts is likewise Sunnat and whoever opposes such abstention has been unanimously branded in the Shariah as a bid'atee.

The question now is: To what is this abstention applicable? Does this abstention cover all acts and practices from which Rasulullah (sallallahu alayhi wasallam) abstained? For example: Rasulullah (sallallahu alayhi wasallam) did not use automobiles, etc. Does the aforementioned verdicts of the authorities of Islam cover such abstentions as well? It is quite evident that such mundane practices do not fall within the purview of such abstention. The abstention mentioned here refers to all such practices for which the motive and means existed during the time of Nabi (sallallahu alayhi wasallam), but were nevertheless refrained from. We shall illustrate by means of examples.

* Janaazah Salaat:

The motive or purpose of the Janaazah Salaat is "DUA FOR THE MAYYIT." Such DUA (i.e. Janaazah Salaat) was taught and offered by Rasulullah (sallallahu alayhi wasallam) and the Sahaabah. Hence, the method in which Rasulullah (sallallahu alayhi wasallam) performed Janaazah Salaat is the Sunnat method, and needless to say, no method could be more beautiful than the method taught and practised by Rasulullah (sallallahu alayhi wasallam). The Quraan places the seal of ultimate and perfect beauty on the Sunnat practice of Nabi (sallallahu alayhi wasallam) in the following words:

"Verily, there is for you in the Rasul of Allah a BEAUTIFUL example."

Anyone who argues that a method other than the method of Rasulullah (sallallahu alayhi wasallam) is of greater beauty is guilty of kufr and is mardood, for it would amount to belittling

of the Divine Messenger and tacitly implying that the method taught by him lacked total and perfect beauty, hence the need to interpolate a frill to the practice in order to "add beauty to the Sunnat." Thus if after Janaazah Salaat an additional dua is annexed on the grounds of "added beauty to the Sunnat" then it will be tantamount to displacing the original sunnah method of Janaazah Salaat - the Janaazah Salaat minus the additional dua. If the original method of performing Janaazah Salaat lacked total beauty then obviously it would have been perfected by Rasulullah (sallallahu alayhi wasallam) since the motivation for such perfection and total beauty existed during the time of Nabi (sallallahu alayhi wasallam). Furthermore, the means supposed to add the beauty (i.e. additional dua which the Ahle Bid'ah practice) also existed during the time of Nabi (sallallahu alayhi wasallam). But, Rasulullah's abstention from such added "beauty" is the strongest daleel (proof) for branding the additional dua after the Janaazah Salaat as bid'ah sayyiah - evil bid'ah - evil because it displaces the original Sunnah and denigrates the practice of Nabi (sallallahu alayhi wasallam).

* Faatihah Thaani:

The Ahle Bid'ah have a compulsory practice of performing a congregational dua (which they call faatehah) after the Sunnat and Nafil Salaat of every Fardh Salaat. The faatehah thaani (second faatehah) has become part and parcel of the daily Fardh Salaat. Rasulullah (sallallahu alayhi wasallam) performed the daily Fardh Salaat and imparted the knowledge and method of these Salaat, but the method imparted to the Ummah by Rasulullah (sallallahu alayhi wasallam) excludes this faatehah thaani practice. The method of our Nabi (sallallahu alayhi wasallam) is the most beautiful, but the Ahle Bid'ah claim that they are "adding beauty" to this Sunnah by the innovation of the second faatehah. This is tantamount to saying that the method of Nabi (sallallahu alayhi wasallam) is not as beautiful as the method of the innovators, hence the need for the innovation. The motive for "adding beauty" to the Sunnah and the motive for second, third, and fourth duas existed during the time of Nabi (sallallahu alayhi wasallam), but Rasulullah (sallallahu alayhi wasallam) by his practical example and teaching abstained from this faatehah thaani. This abstention of Rasulullah (sallallahu alayhi wasallam) is then the Sunnat to be followed. Deviation from this abstention is in fact conflict with the Sunnah.

* Recitation by the Muazzin on Juma' prior to handing the Asaa to the Khateeb:

It is the standard practice of the Ahle Bid'ah to have their Muazzin hand the Asaa to the Khateeb on Juma' and standing with Asaa in hand the Muazzin recites some incantations. Now Rasulullah (sallallahu alayhi wasallam) performed Juma' Salaat and delivered Juma' Khutbah. His practice and teaching in this regard are Sunnah which in terms of the Quraan Majeed is "BEAUTIFUL SUNNAH." Further, in accordance with the Quraan Shareef this "beautiful example" of the Nabi (sallallahu alayhi wasallam) is the most beautiful practice - the practice of perfect beauty - the practice that could not be further beautified by us. The Quraan is explicit on the completion and perfection of the Deen. If then the Asaa-holding and incanting-Muazzin custom has been designed to "add beauty" to the Sunnah, it will be a tacit admission of the imperfect beauty of the Sunnah of our Nabi (sallallahu alayhi wasallam). Such admission is kufr since it clashes with the clear declarations of the Quraan. The motive for this practice (viz., the beautification of the Sunnah) existed during the time of Rasulullah (sallallahu alayhi wasallam), but he abstained from this custom of the Muazzin. This abstention of Nabi (sallallahu alayhi wasallam) is, therefore, Sunnat which cannot be opposed. Departure from the set and defined practice of Nabi (sallallahu alayhi wasallam) is opposition to the Sunnat of abstention.

We will now cite a few examples from the lives of the Sahaabah to indicate that they regarded Rasulullah's (sallallahu alayhi wasallam) abstention (tark) from a practice as SUNNAT TO FOLLOW.

* Saja' in dua:

Hadhrat Ibn Abbaas (radiallahu anhu) warned the Ummah to abstain from saja' in dua. Saja' in dua is to make dua in poetic form. He said:

"Refrain from saja' in dua, for, verily, Rasulullah (sallallahu alayhi wasallam) and his Sahabah did not make saja' in dua."

(Bukhaari)

If the argument of "adding beauty" to the Sunnah propounded by the Ahle Bid'ah has to be accepted, it will follow that Hadhrat Ibn Abbaas (R.A.) erred in prohibiting saja' in dua because ostensibly saja' merely "adds beauty" to the Sunnat of dua. However, he rejected saja' in dua on the basis of Nabi's (sallallahu alayhi wasallam) abstention from saja'.

* Raising the hands higher than the breast in dua:

Upon seeing a man raising his hands higher than his breast while engaged in dua, Hadhrat Abdullah Bin Umar, a great Sahaabi, branded the practice as bid'ah. And, his branding the practicing as bid'ah is evidently a reference to bid'ah sayyiah - an evil bid'ah. He said:

"Verily, your raising your hands (in this manner) is bid'ah. Rasulullah (sallallahu alayhi wasallam) did not raise his hands higher than this (i.e. the breast)."

(Musnad Ahmad)

Hadhrat Ibn Umar (radiallahu anhu) cited as the proof for this practice being bid'ah, Rasulullah's (sallallahu alayhi

wasallam) abstention. Because Nabi (sallallahu alayhi wasallam) refrained from this manner of hand-raising, this illustrious Sahaabi brands the practice as bid'ah.

* Raising hands in dua during the Friday Khutbah:

Hadhrat Umaarah Bin Ruwaibah (radiallahu anhu) upon observing Marwaan raising his hands in dua while reciting the Khutbah remarked:

"May Allah destroy those two little hands. Verily I saw Rasulullah (sallallahu alayhi wasallam) not exceeding during the recitation (of the Khutbah) the indication of a finger."

(Muslim)

This Sahaabi condemns the practice of raising the hands in dua during the Khutbah, not on the basis of any prohibition issued by Rasulullah (sallallahu alayhi wasallam), but solely on the basis of Nabi's (sallallahu alayhi wasallam) abstention from the practice.

* Halqah Zikr in the Masjid:

Who can deny the benefit and the significance of Zikr? But, Hadhrat Abdullah Ibn Mas'ud (radiallahu anhu) expelled a group from the Masjid for indulging in some form of halqah zikr. Once at the time of Maghrib Salaat he entered the Masjid and observed that a group was sitting in halqah zikr. The leader of the group was instructing the others to recite Subhaanallah, Alhamdulillah, Allahu Akbar and La-ilaahi il-lallah. He went up to the group and severely reprimanded in the following terms:

"I swear by Allah that undoubtedly you have indulged in an extremely dark (evil) bid'ah. (If you assert the contrary then it will mean) that you are superior in knowledge to the Sahaabah of Rasulullah (sallallahu alayhi wasallam)."

(Majaalisul Abraar)

He then ordered the expulsion of the group from the Masjid.

This eminent Sahaabi brands this form of halqah zikr as an evil bid'ah, not because Rasulullah (sallallahu alayhi wasallam) had at any time prohibited such form of Zikr, but because Rasulullah (sallallahu alayhi wasallam) had abstained from this form of Zikr in spite of the motive of Zikr existing during his time and in spite of him having the ability to resort to such form of zikr.

* Nafil Salaat:

Allaamah Sayyidud Deen Kaashaghri Hanafi (R.A.) states:

"Exceeding on eight raka'ats (nafl Salaat with a single Salaam) during the night and on four raka'ats during the day is unanimously (by Ijma') forbidden."

(Muniyatul Musalli)

In presenting the basis for this prohibition the Fuqahaa of Islam advance "il-admi wuroodil ahr bihi", i.e. no narration existing or being narrated. In otherwords, the authorities of the Shariah unanimously opine that the abstention of Rasulullah (sallallahu alayhi wasallam) from a practice for which the motive and means existed during the time is daleel (proof) of such abstention being Sunnat. Introduction of such an 'abstained from practice' is branded by the authorities as bid'ah sayyiah or bid'ah dalaalah.

The performance of eight raka'ats nafl Salaat with a single Salaam during the night and more than four raka'ats with one Salaam during the day has been branded as conflicting with the Sunnah despite the fact that the performance of Nafil Salaat is an Ibaadat of the highest merit. However, since performance of Nafil Salaat in this fashion has never been rendered by Nabi (sallallahu alayhi wasallam), it is branded as forbidden by the authorities of the Shariah, who advance as substantiation for the prohibition, Rasulullah's (sallallahu alayhi wasallam) abstention. This daleel of abstention in regard to this form of Nafil Salaat is cited in Al-Badaai 'Was-sanaa' as follows:

"It (Nafil Salaat in this method) is forbidden because it has not been narrated from Nabi (sallallahu alayhi wasallam)."

Hidaayah propounds the daleel for the prohibition in the following words:

"The daleel (proof) of the prohibition is that, verily, Rasulullah (alayhis salaam) did not exceed on this (i.e. eight and four raka'ats with a single Salaam). And, if there was no prohibition (to perform Nafil Salaat in this manner) then Nabi (alayhis salaam) would have exceeded (this number) to convey the permissibility (of such a practice)."

* Dua at the Khatm of the Quraan during Ramadhaan and in congregation:

Another example of Rasulullah's (sallallahu alayhi wasallam) abstention being Sunnat and daleel for the Ummah is the practice of making dua in congregation during Ramadhaan on the occasion of completing the recital of the Quraan Majeed. The authoritative Books of Islam such as Fatawa Kaberi, Durre Mukhtaar, etc. states:

"Dua is forbidden (Makruh Tahrimi) on the occasion of the khatm of the Quraan during the month of Ramadhaan and on the occasion of khatm of the Quraan in congregation because this (form of dua) has not been narrated from Nabi (sallallahu alayhi wasallam) nor from the Sahaabah."

(Al-Junnah)

The motive for dua - more and more dua - existed during the time of Nabi (sallallahu alayhi wasallam). His love for Ibaadah requires no elaboration. The means for introducing and discharging these extra dua existed, but Rasulullah (sallallahu alayhi wasallam) abstained from these practices. It is this abstention of his which is likewise Sunnat. Excess on this abstention is bid'ah sayyiah.

ION of the SUNNAH



Numerous such examples could be cited in substantiation of the principle of abstention and to prove that abstention of Nabi (sallallahu alayhi wasallam) from a practice which assumes the form of an Ibaadat is Sunnah. The few cited above will suffice for people of intelligence.

The Ahle Bid'ah attempt to pass off their practices as Bid'ah Hasanah by claiming that their practices are designed to "add beauty to the Sunnat", and to lend support to their assertion, they cite examples of permissible and necessary 'innovation' — practices which the Ulama-e-Haqq have introduced in the interests of the original Deen of Rasulullah (sallallahu alayhi wasallam). Thus, they argue that if their meelaad and salaami customs are to be branded as bid'ah sayyiah then on the same basis we should brand the madressas, automobiles, aircraft, formulation of fiqh, etc. as bid'ah sayyiah since these practices condoned by us did not exist during the time of Rasulullah (sallallahu alayhi wasallam). This attempt at confusion is indeed thinly veiled. It is only the totally ignorant who will be deceived by such baseless analogies. Those of knowledge will quickly discern the fallacy of such arguments.

Firstly, it should be made quite clear that when we refer to bid'ah generally, we mean thereby bid'ah sayyiah or bid'ah dalaalah (the Shar'i bid'ah — or the bid'ah prohibited by the Shariah) and not practices and inventions which fall within the ambit of literal bid'ah or the literal meaning of the term. Bid'ah Sayyiah with which we are concerned refers to all such practices and customs which are innovated into the DEEN and for which there is no shar'i sanction and justification. It is this bid'ah which Rasulullah (sallallahu alayhi wasallam) condemned in the Hadith:

"An introduction by anyone in this 'amr' (Deen) of ours of that which is not of it, is rejected."

(Bukhaari)

Explaining this introduction into the Deen, Hafiz Ibn Rajab Hambali (R.A.) states:

"The introduction of anything into Deen, which Allah and His Rasul did not consent, has absolutely no connection with the Deen."

(Jaamiul Uloom)

This explanation as well as the tafseer of the Hadith given by all authorities of the Shariah make it abundantly clear that the scope of reference of prohibited bid'ah is applicable to matters innovated into the Deen and not to new developments generally. The argument of the automobiles, aircraft, etc., therefore falls by the wayside. Every bid'ah innovated by the Ahle Bid'ah is in conflict with the Sunnah of Rasulullah (sallallahu alayhi wasallam). Their bid'ah invariably displaces, alters, transforms or utterly disfigures the Sunnah practices of our Nabi (sallallahu alayhi wasallam). The Ahle Bid'ah confess that the purpose of their bid'ah is to "add beauty to the Sunnat". This in itself clearly reveals the interference in the form and method of execution of Sunnah practices. It seeks to supersede the perfect beauty, the 'uswah hasanah' and the noblest of methods of Rasulullah (sallallahu alayhi wasallam). "Addition of beauty" to the perfect beauty of Rasulullah's (sallallahu alayhi wasallam) Sunnah is tantamount to saying that the practice or method of practice of Nabi (sallallahu alayhi wasallam) lacked perfect beauty, hence the need for outside adornment to beautify the imperfection of the Sunnah. Addition of beauty (so-called) is in fact bid'ah sayyiah which mutilates the true Sunnah. It is an introduction into the Deen which Rasulullah (sallallahu alayhi wasallam) has branded as "mardood".

Allaamah Mujaddud Deen Fairuzi (R.A.) describes the introduction into the Deen after its perfection in the following terms:

"Bid'ah is introduction into the Deen after perfection (i.e. after the Deen was perfected by Rasulullah's example), or it (bid'ah) is that which was innovated after Nabi (sallallahu alayhi wasallam) by people of desire and assumed the form of (Deeni) practices."

Imaam Muhammed Bin Abi Bakr Bin Abdul Qadir Raazi (R.A.) says:

"Bid'ah is innovation into the Deen after (its) perfection."

(Mukhtaarul Sihaah)

The Shar'i definition of bid'ah sayyiah given by Allaamah Abu Ishaq Gharnaati (R.A.) clearly shows that "adding beauty to the Sunnah" is in fact bid'ah to be shunned. He thus defines the Shar'i concept of bid'ah as follows:

"Bid'ah is that practice which resembles the Shariah (practices). The motive of adhering to such practices is to amplify the Ibaadah of Allah Subhaanahu."

(Al-I'tsaam)

This amplification in Ibaadah practices is the bid'ah sayyiah which the Ahle Bid'ah claim has been designed to "beautify" the Sunnah, but the authorities of the Shariah brand such amplification and "beautifying" as bid'ah sayyiah because it is innovation into the Deen which falls within the scope of the Ahadith prohibiting innovation *fid-deen* (introduction of practices into the Deen).

Ibn Kathir (R.A.) defines the Shar'i Bid'ah, i.e. the bid'ah prohibited by the Shariah as follows:

"Every statement and act not substantiated (on the basis of proof) from the Sahaabah is bid'ah."

The Shar'i definition of bid'ah establishes that customs and practices of Ibaadah — practices which have been forged to

resemble Islamic Ibaadah practices — practices which have been designed to ostensibly add "beauty" to the perfectly beautified Sunnah of Nabi (sallallahu alayhi wasallam) — which are passed off as acts inherent in the Islamic Ibaadah or the Sunnah Ibaadah commanded by the Shariah are in fact bid'ah sayyiah. Such acts cannot be termed as bid'ah hasanah which has a technical application and which in no way displaces the pure and original Sunnah of Nabi (sallallahu alayhi wasallam). Bid'ah Hasanah is something entirely apart from the condemned bid'ah which has been fraudulently innovated into the Shariah. In an attempt to secure the deception of the general public, the bid'atee, Molvi Ahmad Yaar Khan states:

"Today, in the world such things have been introduced which never existed during the Khairul Quroon (the three noble eras attached to Rasulullah — sallallahu alayhi wasallam). Without these things life would be extremely difficult. Everyone is compelled to use these things. Trains, cars, aeroplanes, ships, horse-carts, envelopes, telegraph, telephone, radio, microphones, etc. — their use is bid'ah, and the people of all groups utilize these objects freely, whether it be Deobandis or Wahabis. Without bid'ah hasanah can worldly life go on? Never! (Jaa-al Haqq ... page 211)"

The Ahle bid'ah are guilty of the notorious falsity that the Ulama who forbid and condemn bid'ah claim that ALL things, whether pertaining to purely Deeni matters or whether to purely mundane matters, which did not exist during the time of Khairul Quroon as bid'ah, (i.e. condemnable and evil bid'ah), but nevertheless, accept such bid'ah which suit their worldly interests. This is a serious slander against the Ulama-e-Haqq, for at no stage have they made such claims. The Ulama-e-Haqq distinguish between worldly inventions and innovation into the Deen. The concern of the Shariah is with innovation into the Shariah Law. The Shariah's condemnation of bid'ah is confined to all such practices which disfigure, transform and displace the Sunnah Ibaadah practices of Rasulullah (sallallahu alayhi wasallam). Such practices destructive of Sunnah forms of Ibaadah are the target of Nabi's (sallallahu alayhi wasallam) prohibition. It is precisely this form of bid'ah which the Ulama-e-Haqq brand as bid'ah sayyiah or bid'ah dalaalah. Worldly inventions, ways and means which are divorced from Islamic Ibaadah, which do not tamper with the Sunnah form of Shar'i Ibaadah do not fall within the purview of our discussion and condemnation. The practices resembling Ibaadah, but in fact are not Ibaadah since Rasulullah (sallallahu alayhi wasallam) and his Sahaabah did not practice or teach such forms of "Ibaadah" innovated by the bid'atees, are the bid'ah sayyiah we speak of. Every single authority of the Shariah down the fourteen hundred years of Islam's history has defined the condemnable bid'ah in exactly the same manner in which Rasulullah (sallallahu alayhi wasallam) defined it, viz., bid'ah sayyiah is that innovation which is presented as a Shar'i Ibaadat. Hence, Rasulullah (sallallahu alayhi wasallam) emphasised "FI AMRINAA HAAZAA" (in this Deen of ours), i.e. any practice given the pedestal of Ibaadah or any custom resembling Islamic Ibaadah, but which have no sanction in the Sunnah is mardood and rejected. Explaining the Islamic meaning of condemnable bid'ah, Hafiz Ibn Rajab (R.A.) States:

"Every act introduced and linked to the Deen, but for which there is no Deeni sanction (Sunnah proof on which it could be based) is dalaal (error manifest and deviation). The Deen is free of that act (of dalaal) whether it pertains to belief or practice."

(Jaamiul Uloom Wal Hikam)

In Maktubaate Shaikh, Hadhrat Shaikh Abdul Haqq Muhaddith Dahlawi (R.A.) says that a practice which conflicts with or alters any Sunnat of Rasulullah (sallallahu alayhi wasallam) is bid'ah dalaalah and mardood.

Regarding the meaning Bid'ah Hasanah, Hadhrat Ibn Rajab (R.A.) states:

"The mention of bid'ah hasanah in the writings of some authorities refers to bid'ah lughwiyyah (i.e. the literal meaning of the term) and not to bid'ah shar'iyyah (the bid'ah condemned by the Shariah)."

(Jaamiul Uloom Wal Hikam)

In Tarweejul Janaan Wal Junnah it appears as follows:

"Verily, bid'ah are of two kinds: Bid'ah Lughwiyyah (literal meaning) and Bid'ah Shar'iyyah (the bid'ah condemned by the Shariah). The first (viz. Bid'ah Lughwiyyah) pertains to innovations in general whether in regard to mundane affairs or to Ibaadah. It is this (Bid'ah Lughwiyyah) which is subdivided into five classes."

The second (viz. Bid'ah Shar'iyyah) is an excess on any Shariah Ibaadah after the termination of the three (noble) ages (Quroone Thalaathah, and for this excess (or introduction) there is no verbal practical, categoric or implied permission of Rasulullah (sallallahu alayhi wasallam). This, in fact, is the bid'ah which is branded as dalaalah."

Numerous other authentic and authoritative Shar'i references define the term bid'ah in exactly the same manner as furnished above. From the authoritative definitions of bid'ah the following points are clear:

(1) The Shariah concerns itself with only those innovations which are passed as Ibaadah, but for which there is no Sunnah sanction.

(2) Bid'ah Lughwiyyah (i.e. the literal meaning of the word) is classified into five classes of which one class is Bid'ah Hasanah which refers to such acts, practices and institutions

which in no way alter, disfigure, transform and displace any Shar'i or Sunnah practice or teaching.

(3) Bid'ah Shar'iyyah is the bid'ah dalaalah condemned by Rasulullah (sallallahu alayhi wasallam) because it is this bid'ah which displaces the Sunnah.

(4) Bid'ah Shar'iyyah is NOT divided into Bid'ah Sayyiah and Bid'ah Hasanah. All forms of Bid'ah Shar'iyyah are condemnable and prohibited.

A practice designed to "add beauty to the Sunnah" will most certainly be within the prohibited category of Bid'ah Shar'iyyah because the "Sunnah" is purely a Shar'i matter and concern. The Sunnah has been handed down to the Ummah by Rasulullah (sallallahu alayhi wasallam) in a perfected, completed and totally beautified form. The Quraan Majeed and the Ahadith are explicit on this. Any further adornment to the perfected practices and beautified Ibaadah of Islam will undoubtedly constitute bid'ah sayyiah (evil innovation) since such "adornment" is an excess committed against the finalised command of the Shariah. And, as stated previously such excess and "adornment" will tacitly imply that the practices as taught by Rasulullah (sallallahu alayhi wasallam) stand in need of perfection. This is tantamount to kufr.

A little reflection will reveal that bid'ah sayyiah practices innovated by the Ahle Bid'ah either alter the method of an Ibaadat as shown by Nabi (sallallahu alayhi wasallam) or introduces a new form of "Ibaadat" — a form unknown to Rasulullah (sallallahu alayhi wasallam), his Sahaabah and the great men of Islam is the three noblest of ages, viz., Quroone Thalaathah. And, the only reason or motive which the Ahle Bid'ah could advance for the introduction of such new and unsubstantiated practices is "to add beauty to the Sunnah." But, adding "beauty to the Sunnah" is a haraam practice and motive since it rejects the Divinely accorded beauty and implies imperfection in Rasulullah's methods. Nowhere does the Quraan or Hadith command us "to beautify" the Sunnah. On the contrary, the Quraan teaches us that the Sunnah has been perfectly beautified. It is only for us to imitate and follow this perfected Sunnah, not to tamper with it like the members of previous Ummahs, viz., the Yahud and Nasaara who battered the Sunnah of their respective Ambiyaa beyond recognition.

In contrast to the motive underlying the innovated evil practices of the Ahle Bid'ah, we should investigate the motives on which are based the new institutions brought into being by the Fuqahaa and other authorities of Islam. The formulation of fiqh, compilation of Hadith in book form, insertion of the vowel signs (zabar, zer and pesh) in the Quraan, insertion of the other signs and indications in the Quraan Majeed, institutions of the Khaanqahs and Madressas, etc. are examples of such introductions which certain authorities describe as Bid'ah Hasanah, and some as Mulhak Bis-Sunnah (Linked to the Sunnah) and others Sunnat. The Ahle Bid'ah endeavour to counter the arguments of the Ahle-Haqq by citing these laudable institutions as examples of bid'ah condoned and not condemned by the Deobandi Ulama. Besides the existence of a Sunnah basis for most of these laudable practices, the motive for these institutions is NOT "to add beauty" to the Sunnah. BUT, to SAFEGUARD the original Sunnah of Rasulullah (sallallahu alayhi wasallam). The aim of these institutions is to maintain and protect the teachings and practices of Islam in their original and beautiful purity and not to add or further "adorn" the Sunnah of our Nabi (sallallahu alayhi wasallam). Therefore, the establishment of Madressas, besides the fact of the existence of a Sunnah basis for it (Rasulullah — sallallahu alayhi wasallam — operated a Madressa known as "Suffah"), has been designed to disseminate, propagate maintain and protect the very Sunnah teachings which were imparted by Rasulullah (sallallahu alayhi wasallam). Madressas are not designed to interfere or tamper with the Sunnah. No new frills and fancies are added to the original methods of Nabi (sallallahu alayhi wasallam). For example: Rasulullah (sallallahu alayhi wasallam) had a method of performing Salaat; a method of performing Janaazah Salaat; a method for Azaan; a method for burial, Nikah, Fasting, Hajj, Wudhu, etc. The Madaaris teach and protect these actual methods in their pristine purity. They do not teach the addition of some "faatehah" which Rasulullah (sallallahu alayhi wasallam) never made or ordered. They do not teach any added method to the method of Janaazah service taught by Rasulullah (sallallahu alayhi wasallam). Similarly, the insertion of the various signs in the Quraan Shareef has not been designed to "add beauty" to the Sunnah, but its purpose is to protect the original and correct reciting of the Quraan — to ensure that the Quraan is recited in exactly the same manner in which Rasulullah (sallallahu alayhi wasallam) and his Sahaabah recited. The formulation and codification of Islamic Jurisprudence have not been motivated to "add beauty" to the Sunnah. This has never been the motive underlying the formulation of Fiqh. The motive and purpose of formulating Fiqh in the method which we know, is to safeguard the Masaa'il of the Shariah in their purity, detail and definition as imparted by Rasulullah (sallallahu alayhi wasallam). Fiqh informs the Ummah of the laws taught by Rasulullah (sallallahu alayhi wasallam) — the precise laws — and no extras. It explains that according to the teaching of Rasulullah (sallallahu alayhi wasallam) certain things are Fardh, certain Wajib, certain Mustahab, certain Makrooh, etc. It does not envisage any alteration and excess in the Law delivered by Nabi (sallallahu

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alayhi wasallam). Fiqh informs the Ummah that when Rasulullah (sallallahu alayhi wasallam) made Wudhu, he carried out certain acts and made Wudhu in a certain specified manner. Similarly, Fiqh explains to the Ummah the numerous Shar'i practices ordered and executed by Rasulullah (sallallahu alayhi wasallam).

Khaanqah of the Auliya have not been designed to interpolate in the Deen. The motive on which Khaanqah are based is not "to add beauty to the Sunnah." On the contrary, the Khaanqah have been established to remedy the spiritual ills of the hearts - spiritual ills, the remedying of which the Quraan and the Sunnah command. Purification of the heart is a compulsory command of the Quraan and this purification was exhorted by Rasulullah (sallallahu alayhi wasallam). The Khaanqah, therefore perform this function and do not "add beauty" to the Sunnah which has already been perfected in the time of Rasulullah (sallallahu alayhi wasallam). Whatever remedies and methods adopted by the Auliya in their Khaanqah, all are motivated to secure the precise purification of the heart commanded by the Sunnah. It does not envisage anything new.

The foregoing explanation is applicable to every laudable practice and institution which have been initiated after the

Quroone Thalaathah and which have been designed to preserve the originality of the Sunnah teachings. Bid'ah Hasanah, then, refers to such practices - practices which protect the original Sunnah. Bid'ah Hasanah does not refer to customs and practices which alter the Sunnah - which displace the Sunnah - which mutilate the Sunnah and which murder the Sunnah of our Nabi (sallallahu alayhi wasallam). Bid'ah Hasanah does not refer to customs and practices innovated to "add beauty" to the perfect beauty of Nabi's (sallallahu alayhi wasallam) Sunnah. Readers should, therefore, not be confused and misled by the misinterpretation of the term "Bid'ah Hasanah." Every act which assumes the form of an Islamic Ibaadat cannot be termed Bid'ah Hasanah. If such act tampers with the Sunnah of Rasulullah (sallallahu alayhi wasallam) it will be branded as Bid'ah Sayyiah which comes within the ambit of Bid'ah Shar'iyyah and not Bid'ah Lughwiyyah as already explained earlier. It is therefore necessary to distinguish between acts designed to "add beauty to the Sunnah" and acts designed to protect and guard the Sunnah.

The Ahle Bid'ah attempt to confuse the public by claiming: "The Deobandies often say that religious innovations only are bidat but worldly innovations are not bidat, a formula which suits their worldly whims and desires fine. However, this is indeed a

deception. The Hadith clearly states that ALL innovations are Bidat." (Mishkat).

In fact the deception perpetrated emanates from the Ahle Bid'ah. If the meaning of the Hadith covers ALL new practices and institutions then the Ahle Bid'ah are being self-contradictory since they by their own acknowledgement have innovated numerous unfounded practices. If the Hadith refers to ALL innovation, both worldly and religious, then why does not a single authority of Islam - right from the Sahaabah down the centuries - claim so? Why does every single Shar'i authority define the "bid'ah" stated in the Hadith as referring to ONLY religious innovation? The answer is simple: Rasulullah (sallallahu alayhi wasallam), himself defined the meaning of innovation by saying: "in this Deen of ours". Without any difference of opinion, all the authorities of Islam specify the bid'ah stated by Rasulullah (sallallahu alayhi wasallam) as:

"It (the condemnable bid'ah) is the Shar'i bid'ah which has been branded as bid'ah dalaalah."

(Tarweejul Janaan)

Insha'Allah, in future articles the Hadith mentioning "ALL" bid'ah will be dealt with in detail. Here it will suffice to inform readers that the bid'ah condemned by Rasulullah (sallallahu alayhi wasallam) refers specifically to Shar'i (religious) bid'ah and not to new introductions into the worldly domain.

UN-ISLAMIC BELIEFS

Many persons entertain the belief that the arwaah (souls of the dead) visit their respective homes every Friday, Thursday, on the nights of Baraat, Mi'raaj, Qadr, Eid, etc. They are therefore of the opinion that these occasions are the essential times for offering acts of 'isaale sawaab' for the benefit of the dead. This belief is un-Islamic.

The arwaah cannot visit places of their own free will. Their movement is dependant and directed by Allah Ta'ala. It is incorrect to believe that the souls of the departed all visit their relatives on the night of Thursday or Friday and petition their relatives to offer acts of charity on their behalf and if these are not forthcoming they resort to cursing their relatives. It is also not correct to believe, as many do, that after death the soul daily visits its former home for a month. These beliefs are fictitious. There is absolutely no support for these beliefs in the authentic Ahadith.

The deceased person is utterly helpless. It has no power of its own as some tend to believe. The movements of the souls are entirely dependant upon the permission of Allah Ta'ala. It is therefore essential to rectify the un-Islamic beliefs which some people have centred around the arwaah of the dead.

Graveside Azan

Hadhrat Allaamah Ibn Hajar Asqalani (rahmatullahi alayh) states in his Fataawa that to give Azan at the graveside is bid'ah.

(Shaami)

JANAZAH ZIKR

"Raising the voice with Zikr and tilawat of the Quran (while following the Janaazah), and reciting statements such as:

"Kullu hay-yin yamutu"
(Every living thing will die.)
are bid'ah."

(Sirajiyah)

EVIL BID'AH

"EVIL BID'AH IS AN INNOVATION IN THE DEEN - SUCH INNOVATION WHICH DID NOT EXIST (AS PART OF THE DEEN) DURING THE AGE OF THE SAHABAH AND THE TABI'IN NOR IS THERE ANY SHAR'I EVIDENCE FOR IT."

(Sharah Maqasid)

DOGS OF FIRE

Rasulullah (sallallahu alayhi wasallam) said: "THE PEOPLE OF BIDA'AH ARE THE DOGS OF THE FIRE."
Kashful Ghummah

EVIL OF BID'AH

Hadhrat Abdullah Bin Abbas (radiallahu anhu) narrates that Rasulullah (sallallahu alayhi wasallam) said:

"Verily, Allah refuses to accept the practice of a person of bid'ah until he relinquishes his bid'ah."

(Ibn Majah)

Hadhrat Huzaifah (radiallahu anhu) narrates that Rasulullah (sallallahu alayhi wasallam) said:

"Allah does not accept the Fasting, the Salat, the Sadaqah, the Hajj, the Umrah, the Jihad, the Fardh or the Nafl Ibaadat of the one who practices bid'ah ..."

(Ibn Majah)

Hadhrat Ibrahim Bin Museerah (radiallahu anhu) narrates that Rasulullah (sallallahu alayhi wasallam) said:

"Whoever respects a person of bid'ah has aided in the destruction of Islam."

(Mishkaat)

Hadhrat Anas Bin Malik (radiallahu anhu) narrates that Rasulullah (sallallahu alayhi wasallam) said:

"Allah has closed the door of taubah upon every bid'atee."

(Tibraani)

These Sahih Ahadith illustrate that the evil wrought by the crime of bid'ah is so grave that it extinguishes the 'nuraaniyat' (spiritual lustre) of Iman. The effect of bid'ah on one's Iman is such that the 'taufiq' to repent is negated. When a bid'atee perpetrates his bid'ah, he considers it an act of sawaab, hence he will not resort to repentance for the bid'ah which he has committed. The darkness of his evil thus multiplies and utterly weakens his Iman. The bid'atee, therefore, has himself closed the door of taubah by regarding his anti-Sunnah practices as acts of Ibaadat worthy of sawaab.

About those who refuse to follow the Sunnah of Rasulullah (sallallahu alayhi wasallam) and who are adamant in the perpetration of bid'ah, the Quraan Majeed says:

"And, if they do not accept you, then know that, verily, they are following their vain desires. And, who is more astray than the one who follows his desire?"

O Believers! Be patient and firm at the time of confrontation (with the kuffaar) and remain steadfast. Fear Allah so that you may attain victory.

(Quraan)

Shadow of Sunnah

WALK IN THE SHADOW OF THE BOOK OF ALLAH AND THE SUNNAH OF RASULULLAH (sallallahu alayhi wasallam) AND YOU WILL ATTAIN SALVATION.

(Hadhrat Sayyid Abdul Qadir Jilani - R.A.)

Erroneous Belief

Some people hold the belief that the arwaah (souls) of dead relatives visit their former homes every Thursday evening and gather in one corner of the house in expectation of isale sawb. If they secure some act from their relatives who are alive when they depart in happiness, if no such act of sawab was offered then the souls leave in sorrow.

This belief is totally unfounded. It has no sanction in the Shariah. Muslims should, therefore, discard any such false belief.

ZIYARAH OF GRAVES

(Hadhrat Maulana Shah Muhammad Ismail Shaheed - R.A.)

Ibn Majah records the following Hadith narrated by Hadhrat Ibn Mas'ud (radiallahu anhu):

"Verily, Rasulullah (sallallahu alayhi wasallam) said: 'I had forbade you from visiting the graves. Now visit the graves, for verily, it (visiting the graves) engenders dislike for the world and it reminds of the Akhirah.'"

Initially, Rasulullah (sallallahu alayhi wasallam) had issued a total ban on visiting (ziyarat) the graves. At a later stage permission was granted to visit graves. There are two benefits in visiting graves. (1) It reduces love for the world, and, (2) it reminds one of death and Qiyaamah.

One should visit the graves with the intention of obtaining this two-fold benefit. If this is the intention, one will reflect that at one time the inmate of the grave was a person alive; walking and wandering about; eating, drinking and making merry; entertaining a variety of high hopes and desires; enjoying the company of friends and relatives; but today, he lays in the darkness of the grave. In a dark pit he lays alone; in solitude, without friend or sympathiser. Today no friend asks about him nor could his wife or brother assist him. In this abode none besides Allah Ta'ala is of aid.

When visiting the graves with this frame of mind, man will reflect: One day I too will have to die. All relatives, friends, wealth, etc. will be lost to me. Only deeds will accompany me to the grave, and only Allah Ta'ala will be able to assist me.

When man will meditate in this manner, greed and love of the world will be greatly reduced in him, and remembrance of the Akhirah will be with him. This meditation is facilitated by seeing desolate and broken graves. This correct form of ziyarat of the graves impels man towards righteousness and prevents him from evil. Ziyarat of the graves in the manner outlined above, is therefore permissible.

A ziyarat which does not reduce the love of the world in man's heart nor create in him the remembrance of the Akhirah, is not proper. One who visits the graves to read Salaat there (i.e. performing Salaat as an act of Ibaadat for the dead person); for making tawaaf of the grave, to kiss the grave, to embrace or hug the grave, to call the dead asking aid of them, requesting rizq, children, cure from sickness, etc., to spread sheets on the grave, to erect pavillions, to sound bugles, to place foodstuff on the grave, to light lamps, to indulge in meelad celebrations, and to indulge in any other evil acts, is either a bida'atee (innovater) mushrik (polytheist) or a perpetrator of abomination.

The majority of people visiting the graves in this age, do so for these unlawful acts. They do not visit the graves to obtain a reduction in worldly love and to engender the remembrance of the Akhirah. In fact they visit the graves for purposes of worldly love. They criticize and revile the one who prohibits them from such unlawful visiting, and present baseless arguments in support of their practices. The reason for this appalling state of affairs is that some molvis in search of worldly gain and some short-sighted masha-ikh visit the graves (of the Auliya) and sit there in meditation.

(translated from Urdu)

THE LIKENESS OF THE ULAMA ON EARTH IS LIKE STARS BY MEANS OF WHICH GUIDANCE IS OBTAINED IN THE DARKNESS OF THE LAND AND OCEAN. THEREFORE WHEN THE STARS FADE, SOON WILL GUIDANCE BE LOST.

(Kashful Ghummah)

The Majlis

VOICE of ISLAM

EDITORIAL

Curse of Bidah

BIDAH is a term used by Rasulullah (sallallahu alayhi wasallam) and his Sahabah (ridwanullahi alayhim). The meaning attributed to 'BIDAH' by Rasulullah (sallallahu alayhi wasallam) is displacement of the Sunnah, the logical consequence of which is the ultimate annihilation of the Divine Shariah of Islam. An act falling into the bidah class displaces a practice of the Sunnah, hence Rasulullah (sallallahu alayhi wasallam) said:

"When a nation introduces a bidah, a practice of the Sunnah is displaced." (MISHKAAT)

People not versed in the Shariah and ignorant of the tremendous import of the Sunnah fail to grasp the enormity of the crime of bidah. Because of the lack of understanding the notriety of bidah in the eyes of the Shariah and not realizing the destruction which innovated practices wrought to the Sunnah practices of Rasulullah (sallallahu alayhi wasallam), many members of the Muslim public frown askance when the Ulama-e-Haqq oppose the bidah practices vigorously. The leaders of bidah capitilise on the ignorance of the general public and plunge unwary Muslims into emotional discussion and antics by presenting arguments based, not on knowledge, but in emotion in defense of practices accorded religious hue and flavour by them, but which were totally unknown to Nabi (sallallahu alayhi wasallam) and the Sahabah. Not only were these many innovated practices unknown, but their very nature and mode have been set in motion to torpedo the Divine Sunnah teachings of Rasulullah (sallallahu alayhi wasallam).

It is imperative that the Muslim public not allow themselves to be duped by men of bogus piety and superficial knowledge. Muslims must never tire in the quest for the Truth. Inquiry and supplication to Allah Ta'ala will open the bosom to receive the Haqq. Sincere Du'a should be made for guidance. Insha'Allah, guidance will be forthcoming. It is accepted that many innocent Muslims are in a state of quandry regarding the many innovated practices incorporated into the structure of the Deen by men who possessed no moral scruples. These innocent Muslims because they lack Islamic knowledge are unable to differentiate between the two groups, viz., Ulama-e-Haqq and the ulama-e-soo' (the evil ulama) - the ulama of bidah.

To these unwary Muslims who are torn between allegiances, who have been plunged into mental conflict and doubt, we say, Ikhlās (sincerity) will save their day. If they are sincere and earnest in discovering the Haqq, let them enquire and let them appeal to Allah Ta'ala for Hidayah. Without the least hesitation we claim that the desired Hidayah will be forthcoming. The bātil propounded by the votaries of bidah will not be able to stand in the way of Ikhlās and Du'a.

Many people have been hoodwinked into believing that the practices innovated are acts of merit and that those who are the opponents of these innovations are the 'enemies' of Rasulullah (sallallahu alayhi wasallam). Great Auliya and illustrious Ulama of Islam have been branded as kāfir and reviled most dispicably by the votaries of bidah for nothing but the revival of the beloved Sunnah of Rasulullah (sallallahu alayhi wasallam). Revival of the Sunnah is in fact the greatest and the most meritorious of Ibādāt, hence Rasulullah (sallallahu alayhi wasallam) said:

"He who clings to my Sunnah at a time when my Ummah is corrupt will obtain the reward of a hundred martyrs."

Muslims must bear in mind that Rasulullah (sallallahu alayhi wasallam) handed down to the Ummah rules in the minutes of detail regarding all spheres of life. All our acts of Ibādāt - the Sunnah forms of Ibādāt - were taught and practiced by Rasulullah (sallallahu alayhi wasallam) and his noble Sahabah. Rasulullah (sallallahu alayhi wasallam) and the Sahabah performed Salāt; they made Du'a; they made Dhikr; they gave names to children; they married and they buried; they visited the Masjid and the Qabrستان; they performed Eid Salāt and made Hajj; they mounted the mimbar and delivered khutbah; in short, all forms of Ibādāt which have been transmitted to us authoritatively and authentically from the Sahabah were taught and practiced by our Nabi (sallallahu alayhi

wasallam) and his beloved Companions. What then is the best method of executing these Ibādāt? Is it the method of Rasulullah (sallallahu alayhi wasallam) and his Sahabah or the methods invented centuries after his demise and then incorporated as part and parcel of the Deen of Islam? It does not demand great intelligence to confess the superiority and the incumbence of the method propagated by Rasulullah (sallallahu alayhi wasallam). Every Muslim, no matter how unlearned he may be, must necessarily understand and appreciate that there could exist no superior method of executing our Ibādāt than the method in which Rasulullah (sallallahu alayhi wasallam) commanded the fulfilment of these Ibādāt practices. And, who can claim to have understood the teachings and directions of Rasulullah (sallallahu alayhi wasallam) better than his Sahabah?

It rests upon the public to probe the matter and endeavour to discover the method in which Rasulullah (sallallahu alayhi wasallam) performed the Ibādāt, the execution of which has likewise been ordained upon the Ummah. If, therefore, you witness a controversy regarding any aspect of Ibādāt, it behoves you to discover how in fact did Rasulullah (sallallahu alayhi wasallam) and the Sahabah execute that Ibādāt. You should not be misled and duped by panderings such as: 'What is wrong with it?' 'We are merely reciting the Qurān and making du'a', etc. You have a duty to probe deeper and to negate such emotional calls from the protagonists of bidah. You have a sacred duty to ask them to explain the method of Rasulullah (sallallahu alayhi wasallam).

Another point of great importance to remember is that the Ulama-e-Haqq never forbid the reciting of the Qurān, the making of Du'a, the praising of Rasulullah (sallallahu alayhi wasallam), etc. as has been and still is being falsely alleged by those who are in the forefront of stifling the Sunnah of Rasulullah (sallallahu alayhi wasallam) by their acts of innovation. Their allegation is far, far from the truth. These contemptible acts are spouted out to pander the emotions of unwary people so as to detract from the Truth propagated by the Ulama of Islam. The Ulama-e-Haqq's opposition is directed at the introduction of practices and customs which displace the Sunnah of Rasulullah (sallallahu alayhi wasallam).

Islam is a completed and perfected Deen, completed and perfected by Allah Azza wa Jal. The Qurān Shareef bears testimony to this perfection, by declaring:

"This day have I perfected for you your Deen, and completed upon you My Favour, and have chosen Islam for you as Deen."

The Shariah, therefore will not brook any addition or deletion, no matter how beautiful and 'religious' such interpolation may appear to innovators. Severely criticizing bidah, Rasulullah (sallallahu alayhi wasallam) said:

"Every bidah is error manifest (which leads astray); and every error manifest leads to the Fire."

Rasulullah (sallallahu alayhi wasallam) has rejected and condemned those who innovate practices and customs into the Deen. In this regard Nabi (sallallahu alayhi wasallam) forbade the showing of any reverence and respect to the man who innovates. He who reveres an innovator, aids in the destruction of the Deen. This is the verdict of Rasulullah (sallallahu alayhi wasallam).

Sayyidul Mujaaleen, Muhammadur Rasulullah (sallallahu alayhi wasallam) shed his sacred blood to transmit the Divine Deen - the Law of Allah Ta'ala - to mankind; every Sahābi, from the least known to the most noble after the Nabi (sallallahu alayhi wasallam), Sayyidina Abu Bakr Siddique (radiallāhu anhu), sacrificed his body, wealth and all in the glorious endeavour to disseminate the Deen delivered by Muhammad (sallallahu alayhi wasallam); the great Tabeeen, the Fuqahā, the Muhadditheen, the Mufasssireen, all dedicated their lives, their love, their ardour and their labour in the establishment of this one and same Deen - the Deen as handed down by our beloved Nabi (sallallahu alayhi wasallam). Yet when the Ulama-e-Haqq seek to exhort the public to submit to those glorious and beloved Sunnah practices and to abstain from practices which conflict with the commands of Rasulullah (sallallahu alayhi wasallam), the leaders of bidah who have commercialised the Deen in an attempt to satiate their pecuniary desires and interests blow their trumpets of kufr and denigration seeking to bring disrepute and disdain on the defenders of Haqq. But, they must be assured of total failure, for with us - with the upholders of Haqq - is the Aid of Allah Ta'ala:

"But We strike bātil with Haqq and (as a result) it crushes the brains of bātil. Then suddenly it disappears. And, for you (O innovators and sowers of fitnah!) is the Fire because of (the falsities) you narrate." (Qurān)

The men of Haqq on the otherhand must resolutely oppose these satanic forces of innovation regardless of the 'controversy' which may ensue. It is out of this 'controversy' for the sake of the Haqq that Haqq will prevail and people will see the light of guidance. Never ever can Haqq submit in flabby acquiescence to the dictates of the innovators, for if the men of Haqq cower down and permit the innovators a free and unfettered run in solidifying their bidah practices in the community, the consequences to the Imān of the Ummah will be calamitous. Therefore, 'masliah' (expediency) dictated by

weakness and fear for 'controversy' - a bidah - is in fact a bidah to establish the bātil - and not be employed in the fight against the innovators. For silence in the face of the march of bātil and bidah is in fact submission to falsehood; and Allah Ta'ala has decreed that Haqq can never submit to bātil.

"And, if Haqq had to follow their desires, verily, the Heavens and the earth and all therein would be destroyed." (Qurān)

There is nothing that could be told to the leaders of bidah by way of admonition or advice, for their hearts have been sealed by their perpetual desire and attempt to eradicate the Sunnah practices of Rasulullah (sallallahu alayhi wasallam). But, we do, in the Name of Allah and for the love of Rasulullah (sallallahu alayhi wasallam) admonish, advise and warn innocent and unwary Muslims of the havoc that bidah wrought to their Imān. Let them reflect at the following warning sounded by Hadhrat Imam Mālik (rahmatullahi alayhi):

"He who introduces a bidah in Islam and regards it as good, verily, he has opined that Muhammad (sallallahu alayhi wasallam) has betrayed the mission of Prophethood, for verily, Allah Ta'ala says: 'This day have I perfected for you your Deen'. Therefore, whatever was not Deen on that day (when Allah Ta'ala declared the perfection of the Deen) will never be Deen today." (Kitābatul Ummah)

A NEW MODE -BIDAH

Salaatud-dhuhaa (Chaast Salaat) is a Sunnah practice of great merit. However, it remains a practice of the Sunnah as long as it is fulfilled in accordance with the custom of the Sunnah.

Once Mujaahid and Urwah bin Zubair (rahmatullaah alayhima) entered the Masjid and observed Abdullah bin Umar, the Sahaabi (radiallāhu anha). Seated near to the room of Hadhrat Aishah (Radiallāhu anha). People in the Masjid were performing Salaatud-dhuhaa. When Mujaahid asked Abdullah bin Umar (radiallāhu anhu) regarding the Salaat which was being performed in the Masjid, he replied:

"IT IS BIDAH" (Bukhaari)

Although the Chaast Salaat is an established Sunnah Salaat, however, because people were performing it in public in an organized congregational form, which was contrary to the manner in which the Sahaabah executed this Ibaadat, Abdullah Bin Umar (radiallāhu anhu) branded it as a bidah. True Islamic Ibaadat, therefore, is not an act which assumes merely the form of an Ibaadat, therefore, is not an act which assumes merely the form of an Ibaadat, but an act which finds support and sanction in the Shariah. The manner of executing the Ibaadat must not conflict or be at variance with the mode ordained by Allah Ta'ala. And, the mode ordained by Alla Ta'ala is that which Rasulullah (sallallahu alayhi wasallam) upheld and propagated.

Sahābah - Bearers of Sunnah

HADRAT ABDULLAAH IBN MAS'UD (radiallāhu anhu) said:

"He who desires to follow the Sunnah, should necessarily follow those who have gone ahead (the Sahābah). For, verily, those who are alive are not free from fitnah. They (the men who have to be followed) are the Ashaab of Muhammad (sallallahu alayhi wasallam). They were the noblest of this Ummah; the most pious; the purest of hearts; the profoundest in knowledge; and the most informal. Allah chose them for the companionship of His Nabi and for the establishment of His Deen. Hence, recognize their (the Sahābah's) superiority and trod in their footsteps. Cling as far as possible to their example and life, for verily, they lived in the virtuous and straight age (of Nabi-sallallahu alayhi wasallam).

IBN MAS'UD

ALL SAHAABA (ridwaanullaahi alayhim) in Rasulullah's (sallallahu alayhi wasallam) estimation were Stars of Hidaayah. However, certain Sahaabah excelled in certain attributes, and, in most cases Rasulullah (sallallahu alayhi wasallam) established the validity of the distinguishing attributes par excellence of the various Sahaabah by means of his (sallallahu alayhi wasallam) personal testimony. Describing the par excellence of Hadhrat Abdullah Ibn Mas'ud (radiallāhu anhu), Rasulullah (sallallahu alayhi wasallam) asserted:

"WHATEVER IBN MAS'UD PREFERS FOR YOU, I TOO PREFER THAT FOR YOU AND AM PLEASED WITH IT."

(Mustadrak)

BIDAH MUSAFAH

Musaafahah (shaking hands) at the appropriate time is a practice of the Sunnah. However, on certain occasions shaking hands is contrary to the Sunnah. When it stands in conflict with the Sunnah, it degenerates into a bidah which has to be shunned. Several authentic Law books of Islam have branded musaafahah at the wrong time as bidah.

Since no sanction exists in the Sunnah for musaafahah after the daily Salaat and Juma' Salaat, it has been described as bidah to shake hands on these occasions. The following Books of Islam brand musaafahah at the wrong time as bidah:

At-tarsheeh of Allamah Tibi, Multaqat, Idhaahul Mataalib, Khulaasatul Fiqh, Kaafi, Majaalisul Abraar, Mudkhal, Fataawa Ibn Hajar, etc.

Allamah Tibi (rahmatullaah alayhi) states:

"Musaafah after every Salaat is forbidden (Makrooh Tahrimi) in all circumstances because it is of the practices of the Rawaafidh. And, this same rule applies to muaanaqah (embracing)." (Al-Junnah)

Allamah Shaatibi (rahmatullaahu alayhi) writes: "No proof exists in the Shariah to indicate that these occasions (i.e. after Salaat) are specialized for it (musaafahah). In fact it is Makrooh."

(Al-I'tiswaam)

DEENI NEEDS

The collecting of funds for purposes of the Deen is not the work of the Ulama. On the contrary it is the duty of the wealthy people. By the Ulama refraining from collecting funds, people will realise that this is not their profession and work. It behoves the people of wealth to make enquiries and realise the needs of the Deeni activities of the Ulama.

(Hadhrat Masihullah)

ULAMA'S PROFESSION

The profession of the Ulama is service to the Deen. It does, therefore, not behave them to haggle over salaries. They should render their service with sincerity and the people will do their share. The Ulama should not adopt the attitude of Brahmin pundits with their Hindu people. The Molvi Saheb should not dispute and hassle about wages. He should work with sincerity.

(Hadhrat Masihullah)

HATRED FOR BIDAH

Hadhrat Mujaahid (rahmatullah alayhi) once in the company of Hadhrat Abdullah Ibn Umar (the son of Hadhrat Umar Bin Khattaab - radiallāhu anhu) entered a Masjid. The Azaan had already been called. After completion of the Azaan a man started to call out 'As-sallah, as-sallah! inviting people to the Salaat. Hadhrat Abdullah Bin Umar said to Mujaahid:

"Let us get out from here, for verily, this is a bidah."

They departed from the Masjid without performing Salaat there. So much was their detestation for bidah.

STATUS OF THE SUNNAH

THE status of Sunnah in the eyes of Rasulullah (sallallāhu alayhi wasallam) is borne out by the following statements of Nabi (sallallāhu alayhi wasallam):

- * My Sunnah and the Sunnah of my righteous and guided khulafaa are compulsory upon you. Cling to it with (your) jaws. Beware of innovation, for verily every new introduction is bidah.
- * O people! Verily, I have left among you that which if clung to, you will not go astray, viz., the Book of Allah and the Sunnah of His Nabi (sallallāhu alayhi wasallam).
- * The curse of Allah is on the one who discards my Sunnah.
- * He who turns away from my Sunnah is not of me.
- * After me there will arise leaders (such as the aalims of innovation) who will not be guided by my guidance nor practice according to my Sunnah. Among them will arise men whose hearts will be the hearts of devils in human bodies.
- * He, who introduces into this Affair (Deen) of ours anything which is not of it, is rejected (accursed).
- * The worst of acts is the introduction of practices (into the Deen).

CONSEQUENCE OF HOARDING

ONCE during the reign of his Khilāfat, Ameerul Mu'mineen, Sayyidina Umar Bin Khattāb was passing by Masjid Nabawi when he observed grain stacked in abundance. He asked about this grain. People said that the grain has been brought for sale to the public. Hadhrat Umar (radiallāhu anhu) said:

"May Allah grant prosperity in this grain and in those who have brought it."

The people said: "O Ameerul Mu'mineen! This grain has been blocked from us."

It was learnt that Farrukh, the servant of Hadhrat Uthmaan (radiallāhu anhu) and another servant of Amr (radiallāhu anhu) were responsible for having blocked the sale of the grain to the public. Hadhrat Umar (radiallāhu anhu) summoned both into his presence and asked: "Did you block the sale of the grain?"

He replied: "O Ameerul Mu'mineen! We buy and sell

at our price."

Hadhrat Umar (radiallāhu anhu) said: "I heard Rasulullah (sallallāhu alayhi wasallam) saying: He who blocks (or hoards) the sale of grain (anticipating higher prices) upon the Muslims, Allah will afflict him with either poverty or leprosy."

Farrukh immediately repented and vowed never again to hoard grain. However, the servant of Amr was adamant and said: "We purchase with our money and we shall sell at our price."

Abu Yahya (radiallāhu anhu) narrates that after a while he saw the servant of Amr overcome with leprosy.

He who performs Salaat, fasts and gives charity to show the world (for purposes of riyaa), is a mushrik (polytheist).

(Hadith)

Increase the Zikr (Remembrance) of Allah so much that the hypocrites say: You are insane.

(Hadith)

IBN UMAR RECTIFIES A BIDAH

Hadhrat Naafi' (radiallāhu anhu) narrates:

"A man in the presence of Ibn Umar (radiallāhu anhu) sneezed and said: 'Al-hamdulillah and Salaam upon Rasulullāh.' Ibn Umar replied:

'I too acknowledge that all praises are due to Allah and peace be upon Rasulullāh (sallallāhu alayhi wasallam), but, Rasulullāh (sallallāhu alayhi wasallam) did not teach us like this. He taught us to say, Al-hamdulillah, alaa kullu haalin, when we sneeze."

(Mishkaat)

Sahabah Exhort the Sunnah

Hadhrat Abdullah Ibn Mas'ud (radiallāhu anhu), one of the top-ranking Sahaaba, said about bidah:

"Follow in our footsteps and do not innovate, for verily, you have been fully supplied (with a perfect and complete Deen)."

(Al-I'tiswaam)

Hadhrat Huzaifah, one of the Sahaaba who was closest to Rasulullāh (sallallāhu alayhi wasallam) and to whom Rasulullāh (sallallāhu alayhi wasallam) entrusted the list of names of the Munaafiqeen, said:

"Do not practice an ibaadat which the Companions of Rasulullāh (sallallāhu alayhi wasallam) did not render."

(Al-I'tiswaam)

PERFECT DEEN

The 11th century Mujaddid, Mullah Ali Qaari (rahmatullaahi alayhi) said:

"Alla Ta'ala said:

'This day have I perfected for you your deen ...'

Thus there is no need whatever to forge a perfection (of the Deen) with an act which is beyond the confines of the Quraan and the Sunnah."

(Sharhu Fiqhil Akbar)

Innovators Ejected

In Fataawa Qazi Khaan, the following narration in refutation of bidah appears:

"Ibn Mas'ud (radiallaahu anhu) heard that a group of people congregated in the Masjid for the purpose of reciting aloud Tahleel and Durood upon Rasulullāh (sallallāhu alayhi wasallam). He went towards them and exclaimed:

'This was not practiced during the time of Rasulullāh (sallallāhu alayhi wasallam). I regard you as bidatees (innovators).'

Abdullah Ibn Mas'ud continued to repeat: 'You are innovators', until he finally ejected them from the Masjid."

This incident as well as many similar incidents, demonstrate very clearly that the Sahaabah regarded the introduction of a new form for an Ibaadat, as bidah to be shunned. There is absolutely no argument against the recitation of Tahleel (to recite Laa ilaaha illallaah) and Durood, but nevertheless, this eminent Sahaabi expelled the group from the Masjid. The expulsion was not, because they recited Tahleel and Durood, but because of the anti-Sunnah mode of recitation - a mode which neither Rasulullāh (sallallāhu alayhi wasallam) nor his Sahaabah (ridwaanullaahi alayhim) knew.

BIDAH CEREMONIES

Hadhrat Uthmaan Bin Abul A's (radiallāhu anhu) was once invited to a circumcision ceremony. He rejected the invitation and in support of his refusal to attend, he said:

"During the time of Rasulullāh (sallallāhu alayhi wasallam) we did not attend circumcision (ceremonies) nor were we invited to such occasions."

(Musnad Ahmad)

Umar Rebukes A Bidatee

Once a certain Muazzin after calling the Azaan, again called out: 'As-salaah as-salaah!', inviting people towards the Masjid. Hadhrat Umar Bin Khattab (radiallāhu anhu) sharply rebuked him and said:

"Are you insane. Was your Azaan not sufficient for calling the people?"

Bidah of 'Khatms'

After the death of a person, the innovators arrange certain ceremonies which they designate as 'khatm'. These ceremonies are organized on the third day, seventh day, fortieth day, etc. These innovated khatm ceremonies have been assigned the Shar'i status of Wujoob, i.e. it is considered to be compulsory to organize and participate in these customary ceremonies for the dead. Those who abstain from these khatm customs are reviled and even branded as kaafir. Yet, it is an established fact that neither Rasulullāh (sallallāhu alayhi wasallam) nor his Companions practiced or taught anything of these khatms. These ceremonies do not possess the slightest sanction of the Shariah. They are in total conflict with the Sunnah of our Nabi (sallallāhu alayhi wasallam).

People died and were buried during the time of Rasulullāh (sallallāhu alayhi wasallam) and the Sahaabah, but never did these khatm ceremonies exist. If there was any merit in these customs, the first to promulgate them would have been the Messenger of Allah (sallallāhu alayhi wasallam). In discarding the simple mode of 'Isaale Sawaab' taught by Rasulullāh (sallallāhu alayhi wasallam) and opting for the innovated khatm ceremonies of men of shallow learning and impiety, slander has been levelled against Nabi (sallallāhu alayhi wasallam). It is tantamount to inferring that Rasulullāh (sallallāhu alayhi wasallam) had failed to provide the correct method of praying for the benefit of the dead. In this regard, the great Jurist of Islam, Hadhrat Allamah Husaamud Deen Ali Muttaqi (died 975 A.H.) declared:

"Verily, these gatherings on the third day especially, have no compulsion; there is no Sunnah in it; no Mustahab in it; no benefit in it nor is there any advantage of the Deen in it. On the contrary, in these gatherings is slander and criticism of the pious predecessors, since they (the great savants of Islam from the time of Rasulullāh-sallallāhu alayhi wasallam) have not instructed about it. In fact the slander and the criticism are directed against Nabi (sallallāhu alayhi wasallam) since it could be inferred that he (sallallāhu alayhi wasallam) discarded the rights of the mayyit (in not upholding these khatm ceremonies). Moreover, the slander and the criticism are directed against Allah Ta'ala since it could be inferred that He did not perfect the Shariah (by not commanding these khatms). And, verily, He said: This day have I perfected for you your Deen..." (Tafheemul Masaa-il)

He is on 'istiqaamat' (steadfastness) who is resolute in the execution of the Commands of Allah in public and in private; in adversity and prosperity; and, regarding Allah he does not fear the criticisms of those who criticize.

(Umar Bin Khattāb)

MUJLISUL ULAMA ZAKAAT ORGANIZATION OF SOUTH AFRICA

ZAKAAT NIYYAT

ONE of the Shuroot (conditions) for the discharge of Zakaat is the Niyyat (intention). Zakaat will not be discharged if a niyyat of Zakaat is not made. It is essential that the niyyat of Zakaat be made (i.e. an intention is made that this money is Zakaat payment) either at the time of handing it to those who are Islamically qualified to accept Zakaat or at the time of setting aside the money. If a sum of money is set aside with the intention of distributing it as Zakaat then it is not necessary to make niyyat again at the time of the actual distribution.

If one makes a niyyat of

paying one's Zakaat, but at the time of the niyyat the money was not distributed nor set aside then this niyyat will not be valid for money distributed to the poor later. Hence, if one distributes some money to the poor and after distribution one decides to regard the distribution as one's Zakaat payment, Zakaat will not be discharged. The distribution will remain an act of non-obligatory charity.

When another is appointed to distribute one's Zakaat, it will suffice to make the niyyat at the time of handing the Zakaat to the representative (Wakeel). If the representative does not make niyyat of Zakaat at the time of paying the Zakaat to the rightful recipient then too the Zakaat will be discharged by virtue of the niyyat made by the Muakkil (the one who appointed a representative to distribute his/her Zakaat).

ZAKAAT QUESTIONS

- Q. A group of ten Muslims formed a company which purchased a vacant piece of land for R12000. Each partner has to contribute R30 per month towards the purchase-price of the land. In other words each partner is liable for R1200. I have so far paid R360 of the R1200 for which I am liable. I now am indebted to the company for R840. Do I have to pay Zakaat on the R360 which I have so far contributed to the company?
- A. The R360 which you have paid to the company is not savings, but payment for the debt incurred by purchasing the land. There is no Zakaat to be paid on the R360 already paid to the company.
- Q. The ground purchased has now been fully paid. I have paid my share of R1200. Do I have to pay Zakaat on the R1200 paid?
- A. Zakaat is not payable on the R1200 already paid. You have to pay Zakaat on all cash in your possession. Hence, if on the day you calculated your Zakaat you had the R1200 in your possession then Zakaat had to be paid on it otherwise not.
- Q. We are about to erect a building of R40 000 on the said ground. Each shareholder has to contribute R10 000. I have already contributed R3000 of my share. The R3000 has been deposited in the banking account of our company. Do I have to pay Zakaat on this R3 000 which is in the banking account of our company and which will be used to erect the building at a future date?
- A. You have to pay Zakaat on the R3000 which has not yet been spent in the building project. The company is merely holding the R3000 on your behalf as "Amaanah" on which you have to pay Zakaat. Once the money has been utilized or paid to the building contractors, Zakaat will not be payable on it.
- Q. The building contractors have now commenced the work of construction. Our company remits money to the contractors from time to time out of the company's banking account so that the work remains in progress. Do we have to pay Zakaat on the amounts we have contributed towards the building - on the monies which are lying in the account of the company?
- A. All the share-holders are liable for Zakaat on the money in the account of the company. Since the ten of you are equal share-holders, each one will have an equal share in the balance of cash in the account of the company. Each share-holder will have to pay his share of the Zakaat on the balance of the cash in the company's account.
- Q. I have ten tola gold in my possession. What is the Zakaat on this? How much should I pay in rands?
- A. The Nisaab of gold is $7\frac{1}{2}$ tola ($2\frac{1}{4}$ troy ounces). Ten tola equal 3 troy ounces. Establish the price of gold per troy ounce, multiply by 3. $2\frac{1}{2}\%$ of this will be the Zakaat payable. To obtain the price of gold, enquire from the South African Mint, Pretoria; telephone number 25611.

CALCULATING PAST ZAKAAT

If Zakaat was not paid on any specific sum of money for a number of years, Zakaat for all the years passed will have to be paid. The method of calculating Zakaat for several years on a specific sum is to calculate the Zakaat for the first year. Deduct this Zakaat amount from the 'specific sum' and calculate Zakaat for the second year on this reduced amount. Again deduct the Zakaat from this reduced amount and calculate Zakaat for the third year. Proceed in this manner until all years have been reckoned.

For example:

- An amount of R5000 was set aside as savings. Zakaat was not paid on this amount for the past four years.
- (a) Zakaat for the first year = $R5000 \times 2\frac{1}{2}\% = R125$
- (b) Zakaat for the second year = $R5000 - R125 \times 2\frac{1}{2}\% = R121.88$
- (c) Zakaat for the third year = $R5000 - (R125 + R121.88) \times 2\frac{1}{2}\% = R118.83$
- (d) Zakaat for the fourth year = $R5000 - (R125 + R121.88 + R118.83) \times 2\frac{1}{2}\% = R115.87$

OVERDUE ZAKAAT

Payment of Zakaat which has become due should not be delayed unnecessarily. Once twelve months lapse over the Nisaab (the amount which will make one liable for Zakaat payment - approximately R80), Zakaat becomes payable. However, if one has delayed payment of Zakaat and one becomes ill, Zakaat should then be paid immediately since illness is an introduction to 'maut' (death). If one has no wealth left then too a loan should be taken to liquidate the past Zakaat which was not paid yet.

Should one have reasonable confidence of regaining one's health and of striving to liquidate the debt incurred by way of loan to pay for overdue Zakaat, then it will be 'afidhal' (best) to obtain a loan and pay the past Zakaat. If the Zakaat was thus paid by means of a loan, but one died before the debt thus incurred could be paid, then it is hoped that Allah Ta'ala will 'liquidate' this debt-liability on his/her behalf in the Hereafter. However, if one is convinced that one will not be able to repay the loan thus incurred, then it is 'afidhal' not to obtain a loan for paying the unpaid Zakaat, for the demand of a creditor in the Hereafter will be greater.

(MUHEETUS SARKHASI)

ZAKAAT ON HIRED ITEMS

Fixed property, vehicles, plant, equipment, etc. hired out for the obtaining of rent are all exempted from Zakaat regardless of the value of such property and equipment. Islam does not levy Zakaat-tax on items hired out. Zakaat will be levied on the income realised as a result of hiring. Again such income will only be taxable by Zakaat if same remains at the expiry of the twelve-month period. If at the termination of twelve months only part of the annual income derived by way of rent remains, then only the remaining part will be taxed by Zakaat. For example: A property is hired out, the rental being R500 per month. After twelve months only R2000 remains, the rest being expended during the course of the year. Zakaat will be payable only on this balance of R2000 and not on the R6000 realised for the annual rental of the property.

Doubt does not absolve one from paying Zakaat. If a person is not certain whether he had paid his Zakaat, he will still be liable for Zakaat payment.

(MUHEETUS SARKHASI)

CURRENT NISAAB
Rabiul-Awwal, 1402-Jan. 1982
R 169

ZAKAAT NOT PAID !!!

ZAKAAT is one of the five fundamentals on which is based the superstructure of Islam. Non-observance of this Zakaat injunction seriously weakens the foundation of your faith.

"Perform your Salaat regularly and pay your Zakaat promptly", is the constant exhortation of the holy Quraan. There is no Taubah and no forgiveness for Zakaat which has not been paid. The burden of non-payment of Zakaat will have to be carried into the grave and borne on the day of Qiyamah. The only succour and hope there exists for not having paid Zakaat in the past is to pay up all past Zakaat and thereafter make a sincere Taubah seeking the forgiveness of Allah Ta'ala.

HAVE YOU PAID ZAKAAT ON YOUR GOLD AND SILVER JEWELLERY?

"And, those who treasure (hoard) gold and silver and do not spend it (the Zakaat on it) in the Path of Allah, give them the tidings of a painful punishment. On the Day (of Qiyamah) it will be heated in the fire of Jahannam, and with it (gold and silver) will be branded their foreheads, their sides and their backs. (It will be said unto them) this is what you had treasured"

MEHR DEBT

Deferred Mehr (dowry) will not be considered as debt to be deducted from Zakaat-taxable wealth.

Therefore, if one has, for example, R10000 and he owes his wife R2000 for Mehr, payment of which was deferred, then Zakaat will be paid on the full R10000. the R2000 deferred Mehr will not be treated as normal debt to be deducted from Zakaat-taxable wealth.

NON-ZAKAAT ITEMS

ZAKAAT is not payable on the following items:

Fixed property
Plant and equipment
Vehicles for use
Precious stones
Household goods: furniture, utensils, etc.

If any of the above items are for use - personal, in business or otherwise - Zakaat is not levied on them. However, if they are obtained for trade (i.e. for reselling), Zakaat will be payable on them.

Means of production are exempted from Zakaat tax. It is the gain or income derived from these means which is taxable by Zakaat.

All goods in one's personal or family use excluding gold and silver, regardless of quantity or value, are exempted from Zakaat. Thus, whether one has one, two or ten cars, luxury apartment, luxury clothing, etc., all these are not taxed by Zakaat.

(THE ABOVE APPLIES TO BOTH HANAFI AND SHAFI MADHABS).

Zakaat on Stock

For the purpose of calculating Zakaat on merchandise it is essential to effect physical stock-taking. An estimate of stocks will not suffice. Nor will the figures obtained by stocktaking at the end of the financial year (if the financial year ends after twelve months of the solar calendar) be valid for Zakaat purposes. It is essential to ascertain the exact position of one's financial state for the calculation of Zakaat. The importance of Zakaat by far exceeds that of income tax or any other consideration imposed by the governments of the world. Muslims are obliged to accord greater importance to their financial affairs regarding the institution of Zakaat than the importance which they are compelled to accord to their financial affairs by the authorities of the world.

THE ZAKAAT ORGANIZATION OF ISLAM

THE Mujlisul Ulama Zakaat organization of South Africa has been established for the pure purpose of administering your Zakaat affairs in accordance with the Shariah.

A host of Islamic rules and regulations are related to levying, collecting and distributing of Zakaat. The obligation of Zakaat will not be discharged if these functions are not executed in terms of the Quraan and the Ahaadith.

In channelling your Zakaat affairs through the Mujlisul Ulama Zakaat organization of South Africa you are assured that your Zakaat Fardha has been discharged in accordance with the law and demand of Allah Ta'ala.

Make use of the Mujlisul Ulama Zakaat organization of South Africa in all your Zakaat affairs and problems to ensure Islamic protection of this important and fundamental Ibaadat of Zakaat.

Cut along this line

Send your Zakaat to:

MUJLISUL ULAMA ZAKAAT ORGANIZATION OF SOUTH AFRICA
P.O. BOX 3393, PORT ELIZABETH.

Enclosed herewith please find R.....
cheque/postal orders being Zakaat payment.

Name:

Address:

If the money is sent other than Zakaat, please specify.

CONCLUSION

In reply to their "challenge" to us to come to Durban to continue the debate, we as well as all intelligent members of the public, are fully aware of their pernicious motives. Their sole motive in seeking to lure us to Durban is to perpetrate their "goondagerry" for they are notorious. Their only desire now is to avenge their defeat and this, in their opinion, could be achieved if we are lured to Durban, for there in the midst of their supporters they know of their nefarious plan. Acceptance or rejection of their silly and pernicious challenge based on sinister motives is our prerogative. They came to Port Elizabeth at their leisure and convenience and departed without serving the object of their visit. They spent two and a half days in hiding, having been publicly defeated and utterly disgraced in the eyes of every Muslim present on the nights of debate. Allah Ta'ala has now opened up an avenue for their permanent disgrace. In the Jamiatul Ulama (Eastern Cape) have they met their doom. At our convenience, we shall Insha'Allah, meet them in their headquarters, the Grey Street Musjid where they will, Insha'Allah, suffer their final humiliation in full view of the public.

It is now necessary to apprise the Bid'atee group of the events subsequent to their encounters with us. Firstly, the entire Muslim public of Port Elizabeth and Uitenhage is now convinced of the falsity of the Bid'atee group. Secondly, the hosts of the Bid'atee group are left out in the cold. On Friday 24th December, after Juma' Salaat, the main host, Abdul Wahhaab Tiry was in tears outside the Musjid after he was forcibly made to sit down when he attempted to make some announcement. Thirdly, Sheikh Abu Bakr of Uitenhage has publicly dissociated himself from the Bid'atee group and their scurrilous pamphlet against the Ulama of Deoband and the Tablighi Jamaat. Fourthly, Sheikh Jamiel Jardine firmly rebutted their calls to cancel the Musjidut Taqwa venue for the Ijtima. Fifthly, those who initially were thrown into confusion by the slanderous pamphlet and who had inclined towards the Bid'atees realised the baatil of the Bid'atee molvies at the debate and made up their minds as to who was on the Haqq and who on the baatil. Sixthly, their main purpose was thwarted. The Ijtima was a resounding success. Over three thousand people were present. Seventhly, peace reigns in the Muslim communities of Port Elizabeth and Uitenhage since all the falsehood of the Bid'atee group has been dispelled. Eighthly, the Tablighi Jamaat operates freely, without the slightest hinderance in Uitenhage where the Bid'atee group desperately attempted to ban the Jamaat. And, so will it Insha'Allah, remain while the Jamiatul Ulama (Eastern Cape) operates in this area, for we shall not permit any group to terrorise the Muslims of our area. And in this, we have Allah's aid. Let the Bid'atees know:

Truth has come and baatil has perished, for verily, baatil by its very nature MUST PERISH.

MUBAHALAH

BIDATI MOLVI FAILS

IN CHALLENGE

AMEER ALI QURAISHI is a pious resident of Madina Munawwarah. As a result of the persistent false propaganda of the Bid'ati molvies against the Ulama of Deoband whom the Bid'ati group brand as Kaafirs, Amir Ali Quraishi had issued a public challenge of Mubaahalah to the Bid'ati Molvi, Maulana Noorani of India. The details of the Mubaahalah challenge appear elsewhere in these pages. Maulana Noori miserably failed to respond to the challenge. However, in a save-facing bid, the Bid'ati supporters of Maulana Noori issued a pamphlet pregnant with lies from Durban. In reply to the falsities stated in the pamphlet of the Durban Bid'atees, Ameer Ali Quraishi of Madina Munawwarah issued a reply which we publish hereunder for the benefit of the Muslim community.

A four-paged pamphlet in English appeared in the first week of May, 1981 in South Africa. It was received in Madina Munawwarah the week thereafter. Its reply was given in the third week.

This humble writer had presented a challenge to Maulana Noorani. The challenge was published in the Daily Jasarat on April 28, 1979. Thereafter Maulana Noorani came to Madina Munawwarah and I seized the opportunity of meeting him near to Baabul Umar, one hour prior to sunset. At the time, he was accompanied by Sarfaraz Khan, the retired session judge of Quetta. I reminded Maulana Noorani of the challenge given to him earlier and invited him to exchange views. His response, however, was complete silence. He turned away his face and departed. Afterwards I sent him a letter exhorting him to meet my challenge. This letter was delivered to him personally by Muhammad Aslam Gharib and Hafiz Abdul Latif at his place of stay in Madina Munawwarah. He failed to accept the challenge and his silence was unabated. Until today, no word has been received from him. Anyone requiring confirmation of this may communicate with Sarfaraz Khan in Quetta and Muhammad Aslam Gharib or Hafiz Abdul Latif. Their addresses are as follows:

Sarfaraz Khan Sahib, Retired Session Judge, Kanshi Road, Quetta, Pakistan.
Muhammad Aslam Gharib and Hafiz Abdul Latif, Masjid Khalil al-Lah, Bab al-Awali, Medina Munawwarah, Saudi Arabia.

Maulana Noorani, during all this period, has neither accepted my challenge nor has he taken the trouble to respond by letter or through the medium of some newspaper. During this period he visited Madina Munawwarah many times, but did not muster the courage to meet my challenge.

Against this background of facts, a pamphlet in English has been published in Durban on behalf of the Ahl Sunnah WAL-Jamaat of South Africa (the Bid'atee group of Durban--Editor). This was the first response received after two years since my challenge. The pamphlet had no signature and was undated. It accused me of posing the challenge in a disguised manner. But, in fact, my challenge was an open book. It was printed in the Daily Jasarat of Karachi and in Tarjaman-al-Islam of Lahore. A quantity of such photocopies are still in my possession.

The publishers of the pamphlet made another false statement in claiming that the first row of worshippers in Musjid Nabawi contains approximately one thousand persons. From this it is crystal clear that either they are not aware of the meaning of a thousand or have never visited Musjid Nabawi in their lifetime. It was more advisable for them to have questioned Maulana Noorani on arrival in South Africa about our meeting at Baabul Umar. They should also have enquired from him his reasons for declining my challenge. Let me repeat--it is not too late--the disciples and devotees of Maulana Noorani can take the initiative. Prevail upon him to swear an oath and ask him about the challenge I made him at Baabul Umar.

As a matter of fact, Maulana never bothered to reply until today. Rather, an article was published by his devotees, representing the Ahle Sunnah wal-Jamaat of South Africa [in actual fact it represents the Bid'atees--Editor] and bearing the address: P.O. Box 340, Durban. The contents of their pamphlet mirrors the shallowness of their intellect. In the pamphlet upheld their conventional practice of slandering the righteous Ulama of Deoband and resorted to fabricated stories of their deaths. All this is nothing but fallacy. At this juncture, I raise a relevant question: Who was the Brelvi who witnessed the death of Maulana Husain Ahmed Madani, the Shaikhul Islam of Deoband? And, who was present at the last breadth of Maulana Ihtishamul Haq in Madras? These are fabricated fables which these innovators have fomented. Furthermore, Maulana Muhammad Zakariya, Shaikhul Hadith is still in Madina MUNawwarah and has never been the victim of paralysis in all his lifetime. The Brelvis are out and out liars.

By the same token, the death story of Maulana Ghulaamullah Khan is also a fabrication. In fact the creative contribution of the Brelvi mujaddid is to foment untrue stories and false allegations. His followers have followed his lead.

I again repeat my challenge. I repeat my challenge. I exhort Maulana Noorani to desist from labelling Deobandi Ulama as Kafirs. They must resort to Taubah, publicize it and recite Istighfaar in abundance. Maulana Noorani has the choice of coming to any of the two Harams, viz., The Haram of Makkah Mukarramah or the Haram of Madinah Munawwarah. He should muster up the courage to meet me for the challenge. If the Maulana prefers the Haram of Madina Munawwarah, I propose Wednesday 22nd Sha'baan, 1401 (24th June, 1981 after Fajr Salaat. I will be waiting for him until sunrise is Astawana, abu IABABA: Alternatively, he may come to Makkah Mukarramah with his group of disciples on Friday 24th Sha'baan 1402 (26th June, 1981). On this day I will be waiting for the Maulana in Makkah Mukarramah. If the Maulana is convinced of the truth of his conceptions, let him face me on the subject of the righteous Ulama of Deoband. This will afford the entire world to watch the marvel of Allah My reasoning in the determination of the above dates should as well be comprehensible. It is to avoid unnecessary delay. Moreover the African adherents of the Maulana have also suggested that I fix a date for the challenge. I AM NOW GIVING SUFFICIENT TIME TO ANYONE THUS ENABLING HIM TO REACH HERE EASILY FROM ANY PART OF THE After the Friday Salaat I will face Maulana Noorani in the Hateem of Ka'bah. Truth vs. falsehood will unfold automatically. This is a simple point. It should not be manipulated unreasonably for the purpose of vain procrastination. I suggest that the supporters of the Maulana approach the question with maturity of thought.

In conclusion I have to comment on the request made by the South African publishers of the pamphlet. They have asked me to introduce myself. Astaghfirullah! Any Muslim can take the initiative and advance to uphold the banner of truth. My name and postal addresses of both Makkah Mukarramah and Medina MUNawwarah are as follows:

Ameer Ali Qureshi, P.O. Box 706, Madinah Munawwarah, Saudi Arabia.

Ameer Ali Qureshi, P.O. Box 1447, Makkah Mukarramah, Saudi Arabia.

DATE: 17th Rajab, 1401 H. (22nd May, 1981)---Saudi Arabia.

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The Majlis

VOL.5, NO 3

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FRAUD!

It was never expected of the grave-worshippers that they would confess their defeat in the debate with the Jamiatul Ulama (Eastern Cape) nor was it-- nor is it-- our motive to extract from them such a confession. Our sole purpose in having organized the debate with the qabar pujaaris was to show to the Muslim public the falsity, crookery, deceit and baatil of the Bid'ati Qabar Pujaari Jamaat. That purpose has, *Alhamdulillah*, been achieved. Every person of the least intelligence and every unbiased person present at the debate in Uitenhage will have no alternative but to concede the falsity of the grave-worshippers.

(1) The proceedings of the first night of the debate endured 4½ hours, from approximately 9. 30 pm to 2 am. The grave-worshippers cannot deny this fact. They have no alternative other than corroborating our claim as they have already made public admissions to this effect. Their admissions are recorded on tape (which we have in our possession) as well as in their pamphlet, the most recent of which states:

(2) The debate of the second night lasted approximately 2½ hours, from 9. 30 to 12 p m. This too has been conceded by the Bid'ati Qabar Pujaari Jamaat in the talk at Grey Street Musjid, Durban on 25th December, 1981.

(3) The total time for the debate-proceedings of the two nights is therefore approximately seven hours.

(4) The proceedings of the first night were taped on a reel-tape by the host of the grave-worshippers as well as by one visitor from Johannesburg whom we are endeavouring to locate. Quite frankly, we did not tape the proceedings of the first night. We confess that we were extremely naive in expecting to obtain a set of the tapes from someone who will be taping.

(5) The events of the first night indicated that we had erred in not taping the proceedings. We therefore arranged for the taping of the proceedings of the second night. The host of the grave-worshippers as well as other members of the public recorded the debate of the second night.

An-Nazeer

Voice of the Islamic Revolution in Syria

*Assad has declared many times that he has crushed the Muslim Brotherhood. His declarations are meant to deceive everybody into believing that his regime is stable. But the Mujahideen have again and again proved to him that they are still there and very active.

*Assad continues to form new militias aiming to uproot the Muslim Brotherhood.

After several attempts, "recordings" have now been obtained from the office of the grave-worshippers. We obtained these tapes via the agency of a brother.

The following exceptionally important facts regarding the bid'ati tapes are brought to the notice of the Muslim public:

(a) The combined tapes of the proceedings of the two nights being offered by the Bid'ati Qabar Pujaari Jamaat of Durban consist of two cassettes, the total time of the recordings of these cassettes is approximately one hour fifty minutes, yet the actual time for the debate-proceedings of the two nights was seven hours. What happened to the other 5½ hours of recordings?

(b) Of the one hour fifty minute tapes offered by the grave-worshippers reluctantly to interested persons, barely ten minutes of recording can be heard somewhat clearly (but not clearly). The rest of the tapes presented by the grave-worshippers (i.e. the balance of the 1 hour 50 minute tapes) is an unintelligible din.

(c) It is beyond doubt that the Bid'ati Qabar Pujaari Jamaat has tampered, distorted, erased and created a background of noise in the re-recording of the tapes so as to cast a blanket on their defeat. No person can follow or understand what is being said or argued on the recordings offered by the grave-worshippers.

(9) The recordings made by ourselves as well as other neutral members of the public are 2½ hours for ONLY the proceedings of the second night whereas the bid'at'is are offering recordings of less than two hours for the proceedings of BOTH nights. Compare the bid'ati version of the tapes with the original tapes which are readily available.

(10) Our tapes are very clear. The whole discussion can be understood and followed.

(11). To cover up the fraudulent tapes offered by the Bid'ati Qabar Pujaari Jamaat, the grave-worshippers stated in their pamphlet:

"The 4 hours of this so-called debate resembled like a fish-market with Desai and his Molvie-Parust colleagues all tried to speak at once- chorus style."

The bid'atis are now desperately attempting to explain away the fraudulent tapes by bringing up this 'chorus style' speaking. Let the seekers of the truth satisfy themselves by listening to our tapes as well. The recordings made by neutral members of the public are readily available from the addresses which appear elsewhere in this issue of The Majlis. Compare the tapes of the grave-worshippers with our tapes.

(12) We are making an effort to locate the visitor from Johannesburg who had also taped the proceedings of the first night. Once we obtain the original recordings, same will be made available to the public. There is absolutely no hope of obtaining the true recordings from the Bid'ati Qabar Pujaari Jamaat or from the host of the grave-worshippers. It is not possible for the bid'atis to release the true tapes, for then their baatil and their defeat will be manifest to even their own supporters.

THE TAPES

ORIGINAL tapes of the debate on the second night, available from: Hashim's Tape Library, Box 178, Elsie's River 7480. Y.M.M.A. Box 5036, Benoni South 1502. The Mailis, Box 3393, Port Elizabeth 6056.

*Assad continues to declare that his agents can reach any target outside Syria. This is calculated to threaten and instil fear into the people who have fled Syria to escape Assad's tyranny. But, Assad, ofcourse, forgets that the Mujahideen can also reach any target abroad as they are able to do inside Syria, but the Mujahideen believe that their battle against Assad is still inside Syria.

THE MUSLIM PUBLIC IS HEREBY INFORMED THAT THE TAPE—RECORDINGS OF THE DEBATE BEING OFFERED BY THE DURBAN BID'ATI QABAR PUJARI JAMAAT ARE FRAUDULENT COPIES AND ARE NOT THE ORIGINAL AND TRUE RECORDINGS OF THE DEBATE PROCEEDINGS. ALL THOSE WHO HAVE LISTENED TO THE TAPES OFFERED BY THE GRAVE—WORSHIPPERS SHOULD OBTAIN A SET OF OUR TAPES AND COMPARE THE TWO SETS. THE TRUTH WILL BE MANIFEST AND SO WILL THE FRAUD OF THE QABAR PUJAARIS.

In Syria two things have become symbols of fear for the regime of President Assad, viz., the beard and Hijaab. These two modes of appearance are the outward representation of Islam against which Assad is waging his tyranny and torture. An Islamic beard means that one is a member of the Mujahideen since a Muslim and his beard are inextricably linked. Hijaab and Islamic womanhood are inseparable components. The regime has therefore unleashed its tyranny against the beard and hijaab.

In his nefarious desire to curb Islamic resurgence, Assad calls for women's "liberation" which in actual fact is another name for western immorality and female exhibitionism which is destructive to Islamic morality which in turn is a fundamental requirement for successful Jihaad. Without Islamic morality, true Jihaad is not possible. Assad, therefore, sends his militia into the streets with orders to perpetrate the hooliganism of tearing the veils and dress-covers (jilbaabs) from Muslim ladies. In Syria 75% of the Muslim ladies wear the veil.

In Syria, the battle of *Hijaab* (Islamic dress-covering and veil for Muslim women) is carrying on unabated. The Syrian authorities have unleashed a virtual reign of terror in a desperate attempt to eradicate Islamic *Hijaab*. The struggle of the *Hijaab* is in progress throughout the length and breadth of Syria. Some highlights of this struggle are:

*In the city of Homs the government has informed female teachers officially that Islamic Hijaab is unlawful, hence prohibited. However, the teachers ignored this ban and went on strike. Some groups of the Ba'th Party visited schools and attempted to forcibly remove the Hijaab of school girls. But such attempts erupted into violence and the anti-Hijaab missions failed miserably in their satanic attempts.

*In one particular school the teacher forcibly removed the Hijaab of one girl. The other girls attacked the teacher who fainted.

*In Idleb some male louts of the regime's militia tried to prevent female teachers and school-girls from attending school with Hijaab. They were told that they would not be allowed to enter school with Hijaab. The teachers and the girls refused to remove their Hijaab and returned to their homes.

*In Latakia two girls of the regime, who tried to forcibly remove the Hijaab of some school girls were attacked by people and killed.

*A coach full with girls from the paratroops was despatched to Aleppo from Damascus to participate in the tearing of Hijaab from women. The Mujahideen attacked the coach and destroyed it.

Another similar coach on a similar mission was sent from Latakia to Aleppo. Along the route the coach tumbled down a valley.

Hadhrat Ma-aaz Bin Jabal (R.A.) narrates the following Hadith:

"Rasulullah (sallallaahu alayhi wasallam) said: Whenever a 'bida' originates in my ummah and the Ulama do not prevent it, the 'La-na' of Allah, of his angels and of mankind descend upon them (the Ulama who refrain from prohibiting the innovation.)"

(Mishkaat)

A SAHAABI ASKED: O MESSENGER OF ALLAH (sallallaahu alayhi wasallam): WHAT IS THE NOBLEST OF DEEDS? RASULULLAH (sallallaahu alayhi wasallam) SAID:

(THE NOBLEST DEED) IS TO DEPART FROM THIS WORLD WITH YOUR TONGUE FRESH WITH THE ZIKR OF ALLAH.

(Ahmad and Tirmizi)

THE EVIL OF CONTEMPORARY MUSLIM MARRIAGE — CUSTOMS

Allah Ta'ala declares in the Qur'aan Shareef:

It is not lawful for a believing man nor for a believing woman to have any choice in their affairs when Allah and His Rasool have decreed a matter."
(Qur'aan)

Rasulullah (sallallahu alayhi wasallam) said:

"Whoever imitates a nation is of them."

Tashab-buh bil kuffaar (imitating the kuffaar) is a malady which is gripping the nation of Islam. This *tashab-buh* (imitation) has in fact permeated almost every aspect and facet of the life of a Muslim, even his Ibaadat is contaminated by this heinous evil of *tashab-buh*. No strata of Muslim society is free from this evil, be it the rich or the poor, the ignorant or the intelligent, the Ulama or the laymen-- all are entangled in the meshes of this disastrous and eroding malady of *tashab-buh bil kuffaar*. So thorough is our assimilation into kuffaar way of life that it is difficult to find a home truly Islamic and Sunnah in character.

There are numerous facets of such *tashab-buh* which Muslims have adopted and accepted as part of Muslim way of life. In this article we propose to deal with one such aspect, viz. Muslim weddings and the fanfare attendant to such marriages.

It is an indisputable fact-- a Shar'i fact-- that according to the Shariat the most blessed marriage is the one in which the least expense and fanfare were involved. It is Islamically undeniable that the Shariah places much emphasis on the simplicity of marriages. It is an incontrovertible truth which can never be contested, that the marriages of Rasulullah (sallallahu alayhi wasallam) and of the Sahaabah and the marriage of the Queen of Jannat, the Leader of womankind, Hadhrat Faatimah (radiallaahu anhaa), daughter of our Nabi (sallallahu alayhi wasallam), were the simplest of affairs. The marriages of the Divinely appointed Leaders of mankind were unorganized affairs, quiet affairs, simple affairs involving the least expense and the minimum of publicity. They were holy acts full of *barkat* and sincerity. They were marriages in which ostentation, show, pride, waste, imitation, competition, etc. were totally absent. The marriages of those august personalities were blessed affairs on which cascaded the *Rahmat* of Allah Ta'ala from beginning to end.

Let us take a glance at the marriage affairs of Muslims of the present age and let us weigh it in the scale of Rasulullah's *Sunnah* and let us view it in the light of the instructions and exhortations of the Qur'aan and the Ahadith of our Nabi (sallallahu alayhi wasallam).

An honest examination of the style of Muslim marriages and weddings in vogue in our society will show up the deviation which we are perpetrating. We will not fail to discern our total divergence from the *Sunnah* of our Nabi (sallallahu alayhi wasallam). We will realise our total opposition to the *tareeqah* (way) of our Nabi (sallallahu alayhi wasallam). A sincere scrutiny of the style of present-day Muslim marriages will show up the naked violations and the flagrant transgressions which Muslims are committing against the Shariah in this act of marriage which in reality should be an occasion of pure Shar'i happiness and a hope for obtaining the Pleasure of Allah Ta'ala. But the sad truth is that Muslims manipulate the marriage affairs of their sons and daughters to invoke the Wrath and Displeasure of Allah Ta'ala, for Muslim weddings of our day are impregnated with *haraam* customs, kufr rituals, *tashabbuh bil kuffaar* and other aspects of spiritual calamity which serve the purpose of only inviting the *Chadhab* (Wrath) and *La'nat* (Curse) of Allah Ta'ala. Small wonder that so many Muslim marriages of our time terminate in shreds of misery and disaster in exactly the same way as kuffaar marriages do. This is no cause for surprise. *Tashabbuh bil kuffaar* plays a dominant role in Muslim affairs, hence the consequences of such *tashabbuh* show themselves with the manifestation of the evils rampant in kuffaar society.

Among the un-Islamic and unlawful practices of *tashabbuh bil kuffaar* which Muslims have adopted from modern western culture is the custom of exhibiting the bride and the bride-groom in a hall. This is an evil practice which incorporates a number of *kabeerah* (major) sins, yet Muslims have wholeheartedly accepted this *haraam* custom and without any pang of regret and conscience participate freely in the major sins attendant to the hall custom. We present here a list of such evils which generally prevail at the hall functions.

a. The married couple go on public display. All types of people, men and women view the couple put on stage in a display which according to the Shariat is hideous in the extreme. Allah Ta'ala commands in the Qur'aan that the male and female servants of Allah cast down their gazes and not allow their gazes to devour members of the opposite sex. The Shariat commands withdrawal and shame, not exhibitionism and shamelessness, two evil qualities fostered by the display customs of marriage-hall functions.

When Rasulullah (sallallahu alayhi wasallam) has commanded that women should perform even their Salaat in

Hadhrat Abu Hurairah (radiallahu anhu) said:
"Do not accept the invitation nor eat of the food of two competitors."

Explaining this hadith, Imaam Ahmad Bin Hambal (rahmatullah alayh) said that the two competitors refer to two persons who vie with one another in lavish feasts. The purpose of such competition is pride and show. It is therefore not permissible to accept the invitation of such people nor is it permissible to consume such food of *riyaa* and *takabbur*.

the remotest corner of their homes, then by what stretch of Islamic imagination will it be permissible for a Muslim lady to be exhibited to the eyes of all and sundry? This question of exhibitionism applies equally to Muslim males. When Rasulullah (sallallahu alayhi wasallam) proclaimed that "woman is *aurah*" (an object of concealment), how can a *Mu'min* act in flagrant violation of this sacred command and do just the opposite by putting that "aurah" on public display?

Rasulullah (sallallahu alayhi wasallam) said that the man who allows other men access to his wife, to view her and speak to her, is a *dayyoos*, i.e. one who lives on the earnings which his wife derives from prostitution. The newly married husband who, therefore, participates in these evils, sitting on the stage, permitting his wife to be offered for the vulgar gazes of all and sundry, is in terms of Nabi's (sallallahu alayhi wasallam) decree, a *dayyoos*. It is, therefore, not lawful for the newly-married man to allow his wife to go on exhibition. The husband must remember that once the *Nikah* has been contracted, no one has any right or control over his wife. He is, Islamically entitled and absolutely free to take away his wife. In fact, he is under the *waajib* (compulsory) command of the Shariat to move off with his wife if *haraam* customs and transgressions have been arranged for her in the form of exhibitionism, halls, etc.

b. The Muslim bride for her role of exhibitionism on the stage of the hall is dressed up in the styles and fashions of the kuffaar. This is further diversion from the Shariat and *tashabbuh bil kuffaar*. Islam does not permit its adherents to adopt the special garment-styles of the kuffaar. Such imitation of kuffaar-dress styles fall within the purview of the Hadith:

"Whoever imitates a nation, is of them."

c. Music is an essential requirement of hall-functions. Without music, the function is incomplete. But, music in Islam is *haraam*. It is a sin of the *kabeerah* category. On this question there is no two opinions. All Math-habs are unanimous on the prohibition of music. The scope of this article does not permit a detailed discussion on the Shar'i prohibition of music. Those who are desirous of learning about Islam's ban on music, may write to the Mujlisul Ulama for the detailed booklet on the subject of music.

d. Photographs are another fundamental of marriage-hall functions. Pictures have to be taken of the married couple, etc. in the hall. But, Islam's ban of pictures of human beings and animals is categoric and unambiguous. There are no two opinions in the Shariat on this aspect. All Math-habs unanimously agree that picture-making is one of the gravest of crimes according to Islam. Rasulullah (sallallahu alayhi wasallam) likened the picture-makers to the murderers of Ambiyaa.

e. *Israaf* or waste. No unprejudiced and honest person can deny the great squander of the bounties of Allah, which take place in the hall-custom which Muslims have borrowed from non-Muslims. Allah Ta'ala states in the Qur'aan Shareef:

"Do not waste, for verily the wasters are the brothers of the devil. And, the devil unto Allah is ungrateful."

In Islam, waste is to spend on things and projects which are not necessary. Leave alone, halls being unnecessary for Muslim marriages, they are interwoven with a number of *kabeerah* sins. How then will Islam ever tolerate the squandering of wealth and labour in the execution of *haraam* and in the fulfilment of a practice which the Shariat brands as *tashabbuh bil kuffaar*? Rasulullah (sallallahu alayhi wasallam) warned us against waste with such emphasis that he said that water should not be wasted while making *wudhu* even if one is taking *wudhu* sitting on the banks of a river. This emphasis will or should convey to the Muslim mind the gravity of the crime of *israaf* (waste). Because of the degree of evil inherent in waste and because of the evil consequences ensuing in its wake, Allah Ta'ala designates the wasters as the "brothers of shaitaan". Viewing the custom from a Shar'i angle, everything that goes into making the hall-custom is *israaf*, from beginning to end. The time assigned towards this practice is *israaf*; the money spent is *israaf*; the foods served is *israaf* since the hall-refreshments and set-up in no way represents the *Sunnah* of *Walimah*. The hall-custom is an outright imitation of kuffaar practice.

f. Among other evils attendant to the hall-custom, are ostentation or show (*riyaa*), pride (*takabbur*), vanity (*ujub*), mutual competition to outstrip pomp of one's contemporaries who have also indulged in this type of exhibitionism, the recitation of the Qur'aan Shareef and making dua'a in a place of evil and sin (viz., the hall), thus subjecting the Qur'aan-e-Kareem to insult.

g. A vital constituent part of such western functions, is the intermingling of sexes, a practice which Islam forbids in the clearest of terms. There are no two opinions of this prohibition.

Rasulullah (sallallahu alayhi wasallam) said that three persons are the most detested by Allah. One among these three is a man who introduces the ways of *jaahiliyyah* (the times of ignorance) in Islam.

FEASTS OF PRIDE

The lavish and sumptuous feasts arranged in kuffaar style on occasions of Muslim marriages of our age are motivated by only pride, vanity, and mutual rivalry, i.e. vying with one another. Such motives are baneful and it is not lawful for Muslims to attend such vile feasts. About such evil wedding feasts, Hadhrat Shah Waliullah (rahmatullah alay) says in his Kitaab, *Hujjatullahil Baalighah*:

"The people of *Jaahiliyyah* (ignorance) competed with one another in pride. Each one attempted to outstrip the other. Wealth was thus expended for this purpose and for no other purpose. In this attitude was malice, corruption among themselves and the destruction of wealth for no beneficial purpose. Their expending of wealth [in such sumptuous feasts] was in sheer obedience to the call of the carnal nafs. It is therefore incumbent to shun such acts and villify them so as to close this avenue [of corruption]. And, the best way of closing this avenue is to abstain from eating the food of the person [who throws such lavish feasts]."

SUNNAT WAY OF MARRIAGE

Hadhrat Ali (radiallahu anhu) very bashfully approached Rasulullah (sallallahu alayhi wasallam) for the great wealth of Nabi's (sallallahu alayhi wasallam) daughter. Hadhrat Ali (radiallahu anhu) made his marriage proposal for the hand of Hadhrat Faatimah (radiallaahu anhaa) directly to Rasulullah (sallallahu alayhi wasallam). The command of Allah Ta'ala was immediately revealed and Rasulullah (sallallahu alayhi wasallam) accepted the proposal.

The rigmarole, frills and fancies attendant to proposals and engagements were totally absent. The customs surrounding marriage proposals and engagements of nowadays are nonsensical and at variance as well as in conflict with the *Sunnah*.

At the time of marriage the age of Hadhrat Faatimah (radiallaahu anhaa) was fifteen and half years and that of Hadhrat Ali (radiallahu anhu) was twenty one years. After accepting Hadhrat Ali's (radiallahu anhu) proposal, Rasulullah (sallallahu alayhi wasallam) ordered Hadhrat Anas (radiallahu anhu):

"O Anas, go and call Abu Bakr, Umar, Uthmaan, Talha, Zubair and a group among the Ansaar."

It is clear from this example set by Rasulullah (sallallahu alayhi wasallam) that the *Nikah* ceremony was being arranged with the greatest of simplicity and without any fanfare. No special gathering, venue, time, etc. was contemplated nor was any hue and cry raised about the *Nikah* which was about to be conducted. It is thus *Sunnat* to merely gather some close relatives and others, without creating a hub-hub and proceed with the *Nikah* quietly and with dignity, i.e. without the accompaniment of the multitude of un-Islamic and *haraam* customs and activities so rife in Muslim marriages of the day.

The people sent for by Nabi-e-Kareem (sallallahu alayhi wasallam) presented themselves and Rasulullah (sallallahu alayhi wasallam) recited a khutbah and performed the *Nikah*. From this example, it is clear that the most suitable person to perform the *Nikah* is the father of the bride.

The *Mehr* (dowry) was fixed at 400 mithqaal silver, which is equal to 49,2137 troy ounces. This is now known as *Mehr-e-Faatimi*. It is therefore *Sunnat* to adopt the practice of *Mehr-e-Faatimi*.

After the *Nikah*, Rasulullah (sallallahu alayhi wasallam) sent Hadhrat Faatimah (radiallaahu anhaa) to Hadhrat Ali's (radiallahu anhu) home in the company of Hadhrat Umme Aiman (radiallahu anhaa). This was the simplicity which accompanied the departure of the Princess of both worlds, from her father's home to her new home. The nonsensical and un-Islamic customs of present-day marriages were totally non-existent.

Hadhrat Ali (radiallahu anhu) thereafter fulfilled the *Sunnat* of the *Walimah* feast. This too was nothing lavish or sumptuous. Like every facet of Islamic life, the *Walimah* feast was likewise an embodiment of simplicity. The following were the foods served at the *Walimah*. Some corn-bread, some dates and some sweet meats. Thus, the *Sunnat* method of the *Walimah* is to arrange the affair with simplicity. There should be no elaborate arrangements and customs. A few close relatives and friends should be called and whatever one can serve with ease and without any fuss, should be prepared. It is also *Sunnat* to include some poor persons in the *Walimah*.

Hadhrat Aishah (radiallaahu anhaa) says that on the occasion of her marriage to Rasulullah (sallallahu alayhi wasallam), neither camel nor goat was slaughtered for her *Walimah*. Her *Walimah* consisted of a mere cup of milk which was presented by Hadhrat Sa'd Bin Ubaadah (radiallahu anhu).

BIDATI

SECTS

FALSE—

HOOD

EXPOSED

The molvies and other members of the Bid'ati Qabar Pujaari Jamaat of Durban, fully in accord with the corruption of baatil and bid'ah, are spreading the lie that the Jamiatul Ulama of the Eastern Cape was not anxious to continue with the debate which took place on two nights in the Uitenhage Musjid between the Bid'atis and the Jamiatul Ulama. In refutation of the despicable lies traded by the BQPI, we reproduce hereunder the Jamiat's letter as well as the atrocious reply given by the grave-worshippers. The Jamiat's letter dated 23rd December, 1981 was delivered on the same day. This was the day after the Bid'atis decided to throw in the towel and go into concealment. The Bid'atis will not be able to deny the contents of the Jamiat's letter since it was read out to the gathering in Grey Street Musjid on the night of 25th December after they had absconded surreptitiously from Port Elizabeth. The antics of the Bid'atis on the night of 25th December, 1981 in the Grey Street Musjid have been recorded on tape and, Insha'Allah, a full reply will be given in due course. It has to be added that although the Jamiat's letter was read out after demands by members of the gathering at the Grey St. Musjid, the Bid'atis had no face nor any guts to read out their own reply for they were fully aware of its atrociousness and abuse. Our letter shall, Insha'Allah, remove the veil from the falsity of the grave-worshippers and show who was not keen to continue the debate.

IN THE NAME OF ALLAH, THE BENEFICENT, THE MERCIFUL

JAMIATUL ULAMA

EASTERN CAPE
REPUBLIC OF SOUTH AFRICA
P.O. BOX 8049
PORT ELIZABETH

AND TRUTH HAS COME - AND FALSEHOOD HAS VANISHED
AND SELL NOT THE VERSES OF ALLAH FOR A CHEAP PRICE
- AL-QURAN -

23rd December, 1981

TO THE GROUP OF BAREILLI MOLVIES
WHO HAVE COME TO THE EASTERN CAPE

The Jamiatul Ulama of the Eastern Cape hereby once again emphasises the extreme urgency for the CONTINUATION of the debate which we had originated and which was proceeding for the previous two nights in the Uitenhage Musjid.

The pamphlets which your group has caused to be circulated in Port Elizabeth and Uitenhage has created unwarranted and much conflict and doubt in the Muslim communities of Uitenhage and Port Elizabeth. We, therefore, stress that you CANNOT depart in such haste without having concluded the debate on the slanderous accusations levelled against the Ulama of Deoband.

We must impress upon you that on the night of 21st December your Mufti A'zam from Pakistan plus another two molvies of your group participated in the debate. Because your molvies could not achieve their objectives in the debate, your group summoned for re-inforcements. In consequence, another three molvies of your group flew into P.E. from elsewhere of the Republic. At last night's debate your group of molvies were engaged for only three hours. We wholeheartedly and urgently desire this debate to continue today, tomorrow and if necessary on Friday which is a public holiday. We can on this public holiday proceed with the debate from 8 a.m. and if necessary continue the whole day and night. We are prepared. But some of your molvies are leaving today. Please, please remain. This is a matter of vital importance. The arguments of commitments in your hometown are not sufficient cause to withdraw from the debate. After all, you came to P.E. especially for this purpose--to debate your slanderous accusations against our Ulama of Deoband. How can you now discontinue and withdraw inconclusively after just a couple of hours of debating? Remain and continue. We invite you to Port Elizabeth for the continuation of the debate. For the past two nights we have engaged you in the hometown of your hosts. We travelled to Uitenhage and faced you in the stronghold of your hosts. Now we desire you to come to Port Elizabeth and continue the debate with us. We offer three venues for your consideration, viz.,

- (1) The Jamiatul Ulama Library room where all or most of the kitaabs for our purpose of debate are available.
- (2) The Malabar Musjid.
- (3) The NEUTRAL home of Mr. Mohammed Munga in Durban Road.

You can choose anyone of the above three venues.

We furthermore, give you AMAAN. We give you our word of honour that you will be under our protection and responsibility while with us in Port Elizabeth. We will, Insha'Allah, escort you back to your hosts in safety. You need entertain absolutely no fear of strong-arm tactics --a fear which your Molvie Abdur Rauf several times raised at the debate in Uitenhage.

We must now emphasise that if you depart without concluding the debate our hearts will be broken and we will construe it an abandonment and a retreat on your part. PLEASE ACCEPT OUR INVITATION AND COME TO PORT ELIZABETH.

We also wish to impress upon you that NOT all of you are leaving today. If some of you depart, your most learned molvie, your Mufti A'zam from Pakistan and the other molvie from India and Molvie Abdur Rauf of Durban will at least be here. The debate had commenced with them...they can continue.

As a last resort, if it is too difficult for you to come to P.E. then we will again come to Uitenhage and engage you in debate to demolish and devastate your slander--your BHUTAAK-E-AZEEM-- levelled against our Ulama-e-Haqqani, Ulama-e-Rabbani--some of the finest Stars of Shar'i Uloom, Taqwa and Ma'rifat of this century. The ball is now in your court.

And peace upon those who accept the Guidance of Allah.

A.S. DESAI
for Jamiatul Ulama
of the Eastern Cape

on behalf of the ULAMA OF DEOBAND

The atrocious letter

To the group of Dee-bande

Molvies who had come to
degrade and belittle the
dignity of Allah and His Rasool.

AHLE SUNNAT WA JAMAAT OF S.A.
P.O. BOX 340
DURBAN
4000

The receipt of your letter this morning at 11.00 a.m. came as no particular surprise to our Ulama. This desperate, last ditch of face-saving reaction from yourselves was fully anticipated, in view of the crushing and humalating defeat you and your molvies received at the Durban St. Mosque last night in front of your supporters--some of whom were seen carrying firearms and other who were resorting to intimidating and strong arm tactics in a vainless attempt to suppress the truth and extinguish the noor of Allah.

The pamphlet which were distributed in Port Elizabeth and Uitenhage was not designed to create conflict or doubt in the muslim communities of Port Elizabeth and Uitenhage but was designed to lead the misled and unwary muslim communities from the pits of darkness and gummahim into the light and guidance. From the growing opposition to the Tabligh Jamaat which we have observed in the last four days, we have alhamdulillah! achieved our object and have firmly laid the foundation of hag by the exposition of the molvies of Deoband and this henchmen--the Tabligh Jamaat.

We are certain that your molvies must have experienced a sleepless night licking their wounds after the professional and scholarly hammering our Ulama-e-haq had administered to them. Last night. We have absolutely no desire whatsoever to discontinue with the debate but will continue with the debate in Durban as unanimously agreed by your molvies and ours in the presence of Sheikh Aabebakar Mohamed and the public, which is also recorded on tape as prove of our agreement. If you do not uphold the promise you made in the House of Allah last night and attempt to deduce the debate in Durban, then the FALSEHOOD AND CORRUPTION of the Deebandi-Tablighi cult will be clearly manifested for all to see as it was manifested to some degree last night. You claim that you travelled from your hometown of Malabar which is only twenty kilometres away to engage in the debate in Uitenhage. We must remind you that the venue and time was fixed by your group and not by us, in that filthy and disgusting and shameless pamphlet issued by your so called ulama-e-hag. If this is the language of the "Wasisul Ambiya" then we are certain that our Nabie (S.A.W.) and the other Ambiya-e-kiram must be DISGUSTED to have molvies of your type as their "warries". Your language clearly reflects your background, character and mentality. We wonder if you realise that we travelled over a thousand kilometres to come right into your backyard to CHALLENGE THE FALSEHOOD, DECEPTION AND CORRUPTION OF YOUR MAN-MADE MASLEK considering the gangsterism and heoliganism that we were plagued with throughout the three nights in your city. Now, in keeping with the agreement with yourselves at the Durban St. Mosque last night, we offer you the venues in Durban for your consideration ..

- (1) The Sunni Jamiatul Ulama office in Queen St. in Durban where most of the kitaabs for both our purposes are available.
- (2) The Grey St. Mosque.
- (3) The Sparks Rd. Mosque in Overport.

You are at liberty to choose anyone of these venues. We must emphasize that we do not require your "AMAAN". The Amaan of Almihty Allah is sufficient for us, neither do we require your protection or HOODLUM BODYGUARDS AS THE PROTECTION AND REFUGE OF ALLAH TA'ALA and his beloved Rasool (S.A.W.) is all we require. Maulana Abdur Rauf was quite justified in bringing to your attention the intimidation and heoliganism by the supporters you imported from Port Elizabeth and Malabar. Three of our Ulama have already left for Durban this morning after all it was agreed to continue the debate in Durban whilst the others are booked to leave to-day to fulfill important commitments in Durban. If you are so itchy and anxious to "demolish and demonstrate" this so-called slanders and buhtaan-e-azeem of your geestaak and be-adab Molvies than lets see if you possess and spirit, and made of the same metal as our Ulama and come down to Durban and defend the kufaria statements. If you fail to come to Durban and continue with the debate as promised by yourselves last night and which is recorded on tape then we will have no alternative but to BRAND YOU ALL with the same fatwas that were issued against your molvies by the Ulama of Hasamain Shasafain. In the interim we suggest that you import professional munasiers from Deoband to teach you all the rules, conditions and ADAB of debate. Your amateurish approach and ignorance in this particular field was clearly demostated last night. We are hoping and praying that you would accept the challenge and come to Durban where you would accord us the pleasure and privilege to tear of the mask of FEAR and DECEPTION AND EXPOSE THE UGLY TRUTH to the unsuspecting masses as regards the KUFAR Believers of your geestaak and BE-ADAB molvies. Please do not disappoint us and deprive us the privilege and opportunity of EXPOSING YOUR MOVEMENT.

Mohamed Bana.

Hen. Sec.
23/12/81

QUESTIONS and ANSWERS

MUJLISUL ULAMA OF S.A
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PORT ELIZABETH

Q. Some time ago it was said in the Majlis that certain Sparletta minerals were haraam. You also said that a substitute ingredient which is halaal was being explored. Has the ingredient been found?

A. To the best of our knowledge the Sparletta flavours which we had listed in The Majlis are still haraam because no halaal substitute ingredient has thus far been found.

Q. Certain learned people in Transvaal and Natal say that the Sparletta proclaimed by The Majlis to be haraam is not haraam. What have you to say on this?

A. Our investigations have proven that the five listed Sparletta flavours are haraam. Those who contend the contrary are put to proof. If they possess any proof or Shar'i arguments to refute our claim, they should as uprighteous Muslims inform us. If we find that we have erred, never shall we withhold from retraction, Insha'Allah. We have heard some disgruntled rumours and emotional refutations of our proclamation, but to this day not a single Aalim has presented any Shar'i proof in refutation of our claim: Sparletta, i.e. the five flavours, will therefore remain haraam until a substitute halaal ingredient is added or until Shar'i evidence is forthcoming to prove that we had erred in our claim. Our purpose for publishing haraam food items is to assist such Muslims who are conscious of the spiritual harm produced by haraam consumption. Those who take umbrage at such publication and desire haraam delicacies may enjoy themselves and make merriment with their nafs at the peril of their Akhirat. Such people are not the target of our publication and tableegh. Our propagation is for only those who are conscious of the fact that they are Believers and that this stay on earth is a transitory existence and a stage on our sojourn towards our original home beyond Qiyaamah, viz. Jannat. Insha'Allah, the abstemious ones (those who for the sake of Allah Ta'ala refrained from haraam) will have their full share there in Jannat. Those who are always eager to dispute the Haqq, in as far as we are concerned, come within the scope of our attitude which we have adopted from the following statement of Rasulullah (sallallahu alayhi wasallam):

"Da' amral awaam". Leave the affairs of the general public."

Q. Some people bring along their little children to the Mosque. This practice is creating some disturbance inside the Mosque as little children tend to be noisy and run around the Mosque. I am almost always distracted in my Namaaz by the antics of the little kids. What is the ruling of the Shariah on bringing kids to the Mosque?

A. It is Makruh Tahrimi to bring kids to the Masjid. This prohibition becomes emphasised in cases where the kids are boisterous and disturb the musallis. Rasulullah (sallallahu alayhi wasallam) said that insane people and kids should not be brought to the Masjid. The purpose of the Masjid is pure Ibaadat. Concentration of the Musallis is destroyed by the disturbances of kids, hence it is not permissible to bring kids to the Masjid. When it is not permissible to recite even the Qur'aan Shareef loudly inside the Masjid for fear of disturbing the Musallis, then to a greater degree will the prohibition apply to bringing kids who distract the attention of the Musallis.

Q. For about two years I have been facing the wrong direction in Salaat. I work in a steel factory and I had fixed the direction of the Qiblah with a compass not realising that in a steel structure the needle will not register accurately. Only recently did I discover my error. What is the position of all the Salaat which I had thus made? Is my Salaat valid? Do I have to make qadhaa of the past Salaat?

A. There is no need to make qadhaa of the past Salaat which is valid. You were all along under the impression that you were facing the Qiblah. You took measures to establish the direction of the Qiblah, but in error plotted the wrong direction. But this error does not negate the Salaat which you have already performed facing the Qiblah in your mind.

Q. I have sold my business. The stock at cost price was R18000; fixtures and fittings R6000. The total is therefore R24000. I sold the business for R33000. Is the extra R9000 goodwill and ribaa?

A. You are entitled to sell your stock and other assets for whatever price you wish. The R9000 is not goodwill and ribaa, but is profit which is perfectly lawful.

Q. A person purchased a Qurbaani goat with interest money. Is the Qurbaani valid? Can I eat of its meat if it is sent to me?

A. The Qurbaani is not valid since the goat was bought with haraam wealth. The one guilty of this crime was supposed to have given away the meat in charity without making a niyyat of obtaining thawaab. Such haraam property is described in the Shariat as Waajibut Tasadduq which means that it should be eliminated by giving it to the poor without any niyyat of obtaining reward (thawaab). If you are among the poor, i.e. a Zakaat case, then it will be lawful for you to consume the meat.

Q. I have received an anonymous letter in which it is claimed that one Shaikh Ahmed from Madina saw the Nabi (sallallahu alayhi wasallam) in a dream. The letter speaks about some prevalent evils, some advices and warnings and orders that 30 copies of the letter be made and distributed otherwise calamity will befall one. I am sending the letter to you. Please advise on this matter. Should I make the 30 copies and distribute as the letter says?

A. Ignore the letter. Several things mentioned in the chain-letter are in conflict with the Shariah, hence it is not permissible to disseminate it. No calamity will befall you if you do not heed the call of the letter. Such letters are circulated from time to time and the one you have sent us is an old one and has been circulating for many years.

Q. What is the meaning of waseelah. I have been told that it means that one has to petition the Nabi (sallallahu alayhi wasallam) or the great saints and ask them for our needs and fulfilment of wishes. We have also been made to understand that the Ulama of Deoband do not believe in the waseelah of our Nabi (sallallahu alayhi wasallam). The rejection of waseelah is kufr according to the learned people with whom I have discussed. Please enlighten me on this subject.

A. The "learned people" with whom you have discussed the question of waseelah in all probability are the molvies of the Qabar Pujaari (grave worshippers) group. It is the function of the Ahle Bid'ah or the grave-worshippers to fabricate lies in the name of Rasulullah (sallallahu alayhi wasallam) and then on the basis of their pernicious falsehood to brand the noble Ulama of Deoband as kaafir because the latter are ever vigilant in exposing the bid'ah and the baatil of the grave-worshippers. Waseelah or lawful Waseelah in the Shariah envisages that one directs one's duaa TO Allah Ta'ala asking Him to accept the duaa and grant the wish through the Waseelah or medium of our Nabi (sallallahu alayhi wasallam) or through the Waseelah of any other Nabi (alayhis salaam) or Wali (saint). Waseelah does not mean that one has to direct one's duaa to Rasulullah (sallallahu alayhi wasallam) or to the Auliya. Directing duaa to anyone besides Allah Ta'ala is a form of shirk (association in the Ibaadat of Allah) which is a crime of exceptionally grave proportion. The Shariah does not permit one to petition anyone other than Allah Ta'ala for the granting of one's wishes and duaa. No one besides Allah Ta'ala has such power. The grave-worshippers are the propounders of shirk and bid'ah beliefs. You should not heed their baatil preachings which serve the purpose of nothing but dhalaal (deviation). The Deobandi Ulama believe in the type of Waseelah permitted by the Shariah and refute the shirk conception of Waseelah propounded by the Qabar Pujaaris. Islam forbids the assigning of partners unto Allah Ta'ala, but the grave-worshippers by virtue of their polytheistic and paganistic beliefs hoist the banner of shirk in the name of Islam. May Allah Ta'ala save us from the deceit and trickery of those who have made the Deen their source of livelihood—a profession in which the Bid'ati molvies excel.

Q. Some say that our Nabi (sallallahu alayhi wasallam) is AALIMUL Ghaib having the knowledge of the unseen in the same way as Allah Ta'ala is Aalimul Ghaib. They also say that Rasulullah (sallallahu alayhi wasallam) is haazir and naazir, that he is always present at all places and knows what is always happening everywhere. What does the Shariah say about these beliefs?

A. These beliefs are beliefs of shirk and kufr. The grave-worshippers entertain such beliefs of shirk. Rasulullah (sallallahu alayhi wasallam) is not Aalimul Ghaib nor haazir naazir as the Qabar Pujaaris claim. They are astray and dwell in the evil of their bid'ah and grave-worshipping, hence they are the forerunners and the champions of shirk beliefs. There is absolutely no being who is Aalimul Ghaib and Haazir and Naazir other than Allah Azza Wa Jal.

Q. The Ulama of the Baraeilly group have branded as kaafir the Ulama of Deoband. What are your comments?

A. Listen to the following comments of Rasulullah (sallallahu alayhi wasallam):

"He who brands (members of) my Ummat as kaafir, he is more deserving of it (the title kaafir)."

Q. Our children are attending a madressa where an aapa (lady teacher) is employed to teach them. We have the following questions to ask on this matter:

1. What is the position when she happens to be in her state of menses and she has to teach the Qur'aan Shareef?

2. She has written a letter directed to all the parents whose children are attending her class, complaining that parents show no respect towards her. Her grounds for this complaint is that on the Day of Eid parents do not bring the children to greet her. Is it an Islamic duty upon parents to take their children to her on Eid day?

A. On the question of teaching the Qur'aan Shareef during her haidh periods, the Shariat rules that:

(a) She does not touch the Qur'aan Shareef.

(b) She does not recite the Qur'aan Shareef. The meaning of "recite" in this context is continuous recitation to produce an ayat. It is permissible for her to teach the Qur'aan Shareef word for word, breaking breadth after every one or two words. It is not permissible for her to teach by reciting a complete ayat.

(b) Parents are not obliged to take their children to meet her on Eid days. The Shariat has not imposed any such duty upon parents. Hence, the aapa has absolutely no Shar'i grounds for complaining. Her duty is to teach the kids and her reward for such teaching--if motivated by the niyyat of obtaining Allah's Pleasure--is thawaab in the Akhirat. She has no right to complain about such an inconsequential matter of parents not bringing their children to meet her on Eid. She had no Islamic justification in writing the letter of complaint to parents.

Q. What is our belief regarding Prophets and sinning? Did Prophets commit sins? Some people say that it was possible for them sinning.

A. The belief of the Ahle Sunnah Wal Jamaat (Hanafi, Shaafi, Maalik and Hambali Mathaa-hib) on this question is that all Ambiyaa (alayhimus salaam) are Ma'soom, i.e. they are sinless, Allah Ta'ala having protected them from the commission of sin. Ambiyaa (alayhimus salaam) are the chosen Messengers of Allah Ta'ala and their lofty rank coupled with the nature of their mission preclude the commission of sin, hence Allah Ta'ala has protected them from sin. It is kufr to believe that the Ambiyaa (alayhimus salaam) have sinned. It is also kufr to assert the possibility of Ambiyaa sinning since such possibility has been negated by the Proofs of the Shariat.

Q. Certain people have stipulated particular types of food which have to be in the Faateha practice of certain saints who have died. Is such a practice a sunnat way?

A. Such a practice, far from being Sunnat, is bid'ah sayyiah or an evil innovation which has absolutely no relationship with the Shariat. It is not permissible to stipulate any particular type of food as faatehah offering for some saint. Any type of food may be given at any time to the poor and the thawaab of such charity may be bestowed upon any saint or any person who had died. Such bestowal of thawaab of good acts is by simple duaa unto Allah Ta'ala petitioning Him to accept the act of charity and direct the thawaab thereof to the intended person. There are no other frills and fancies attendant to such bestowal of thawaab. Unauthorised rituals attached to isaale thawaab practices are the accretions of the Qabar Pujaaris (grave-worshippers) known in the technical language of the Shariah as the Ahle Bid'ah.

Q. What happens to the souls after death?

A. The arwaah (souls) of the Ambiyaa and the Auliya are transported to an abode known as Illeeyeen which is a place above the seventh heaven between the Arsh of Allah Ta'ala and Sidratul Muntahaa which is the final limit beyond which even Jibraeel (alayhis salaam) cannot travel. Only Rasulullah (sallallahu alayhi wasallam) was permitted to travel beyond this point on the Night of Mi'raaj. Between Sidratul Muntahaa and the Arsh of Allah Ta'ala are seventy thousand Veils, each Veil being of such magnitude and volume that it would take a journey of five thousand years to penetrate a single Veil. Allah Ta'ala alone knows by what speed such distance is to be determined. Each Veil is made of a different material, e.g. stone, iron, ice, fire, the last Veil being of Noor. Rasulullah (sallallahu alayhi wasallam) with the permission of Allah Ta'ala traversed all Veils and then stood in the Majestic Presence. The souls of ordinary pious Believers occupy various abodes depending on their actions here on earth. Such places are located on the first heaven, between the heavens and the earth and in the Well of Zam Zam. The souls of the kuffaar and sinners are deposited below the seventh earth in the abode known as Sijjeen.

Q. Does shaitaan have the power to interfere physically with people?

A. Shaitaan to a certain degree has been given such powers by Allah Ta'ala. He thus possesses the power to harm or even commit murder.

Q. Many people in times of difficulty or even in normal circumstances, call on the saints who have already left this world, for aid. As an example, they call out "Yaa Sayyid Abdul Qaadir!", and they refer their needs directly to the saint. It is believed by such people that the saints who have passed away have the powers of granting wishes and fulfilling hopes and desires. What is the ruling of the Shariat on this practice and belief?

A. Both the practice and the belief are haraam. Such belief and practice are shirk which is to associate creatures in the worship of Allah. The Auliya who have passed away do not possess the powers which the Bid'atis falsely attribute to them. It is essential to abstain from such polytheistic and paganistic beliefs.

Q. Kissing the thumbs and rubbing over the eyes is a practice upheld by many people when the muazzin calls out the names of the Holy Nabi (SALLALLAHU ALAYHI WASALLAM). The non-Deobandi Alims say that this practice is proven by many hadiths. Why do the Deobandi Alims forbid this practice then?

A. All the riwaayaat (narrations) on this question are non-authentic. Some are weak and some fabricated. This practice is not authentically established as a Sunnat. The Bid'atis have assigned the category of wujoob (compulsion) to this practice in spite of the fact that it is not an established practice of the Shariah. One therefore has to refrain from this practice which has become among the shi-aar (salient and distinguishing features of the Qabar Pujaaris. Elsewhere in this issue of 'The Majlis' we reproduce the fatwa of the "A'laa Hadhrat"--the highest molvie and the greatest mentor of the grave-worshippers--on

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this practice of thumb-kissing. His fatwaa may be an eye-opener to the Qabar Pujaaris.

Q. Those who are regarded as the people of *bid'at* (innovators) produce certain *ahadith* of the Holy Nabi (sallallahu alayhi wasallam) to substantiate their customs and practices, such as kissing graves, making *tawaaf* of graves and having *khatams* on fixed days. What do you say in this connection?

A. All *riwaayaat* (narrations) cited by the Ahle *Bid'ah* as their proofs are fabricated and *baatil* (baseless and false). They surprisingly produce the weakest narrations and fabricated (*maudhoo'*) stories in opposition to the *Saheeh* (authentic) and well-established *Ahadith* of our Nabi (sallallahu alayhi wasallam). They reject and ignore the authentic narrations found in the authoritative books of the Shariat and give publicity to fabrications extracted from the books of non-authorities. This is ample commentary of their ignorance-- an ignorance, the perpetuation of which is fundamental to the deception of the Qabar Pujaaris perpetrated for purposes of extracting money and material from unwary and ignorant masses.

Q. What does Islam say about a woman who goes out of the house visiting friends and relatives and goes shopping without the consent of her husband?

A. She is disobedient and according to the Shariat she is a sinner. The curses of the *Malaa-ikah* remain upon her as long as she is out of her home. Allah Ta'ala commands in the Qur'aan Shareef that she remains in her home environment and not emerge out of the home unnecessarily. Visiting friends and relatives and going shopping are unnecessary for the woman in terms of the Shariat, hence her emergence from the home for such baseless purposes is *haraam*. Even if the husband consents to her emergence from the home for such unnecessary reasons, it will not be permissible for her to come out. If the husband consents, he will likewise be a *faasiq* and a sinner.

Q. Many Muslim husbands are introducing their wives into their businesses where the women make contact with all and sundry. In the present set-up prevailing in shops and other places of business it is not possible for the women to adhere to the Islamic rules of *Purdah*. Is it then lawful for women to serve in their husbands' shops or manage the businesses in spite of their contact with males, both Muslim and non-Muslim?

A. Among the signs of the proximity of *Qiyaamat* is the introduction of womenfolk into businesses. According to the *Hadith* of our Nabi (sallallahu alayhi wasallam) businesses will be expanded to such an extent that men will not be able to manage these. Consequently they will introduce their womenfolk to assist in their businesses. *Rasulullah* (sallallahu alayhi wasallam) mentioned this as one of the signs of the nearness of *Qiyaamat*. It is *haraam* for Muslim ladies to participate in their husbands' shops and businesses in such a way that they come in contact with all and sundry. It is not lawful for them to attend such places where the adherence of *Purdah* is difficult or impossible. Allah Ta'ala is *Raaziq*. One should not expand one's business to the extent where *haraam* has to be introduced in the interests of management and operation of the business. The Believer will rather curtail his business activities, but will not rip off the *Hijaab* from his womenfolk and destroy their *hayaa* (shame) for the sake of miserable monetary gain. To propel one's wife and daughters into public for the sake of money is most despicable. It is not an attribute of *Imaan*. It is a quality of *kufr*, for Nabi-e-Kareem (sallallahu alayhi wasallam) said that *hayaa* is a branch of *Imaan* and shamelessness is a branch of *kufr*. The husband who casts his wife and daughters to the public gaze has been termed by *Rasulullah* (sallallahu alayhi wasallam), a *dayyoos*. A *dayyoos* is a person who lives on the proceeds of prostitution of his wife.

Q. A semi-Molvi, i.e. he studied for a while at a Madressa in South Africa, did a couple of *kitaabs*, claims that it is not Islamically incumbent upon women to wear such dresses which cover their entire bodies. To my mind this does not seem correct. What do you say in this matter?

A. It has been aptly said:

"A semi-physician [i.e. a half-baked one] is a danger to life and a semi-mullah (a half-baked molvi like the one who made the statement) is a danger to Imaan."

This semi-molvi who made the ludicrous statement about women and their dress is a *jaahil* who leads others astray. One should refrain from sitting in his company, for the journey will be ensnared into his ignorant and *baatil* claims.

Q. I have been told that the opinion of the Majlis in the matter of *Purdah* is extreme. As an example it was said that it is permissible for women to emerge from their homes for any reason even if not for a necessary purpose, provided that they are properly covered according to the Shariah. If they wish to go to the hypermarket or for window-shopping in town, my friend who is also a learned man, says that they are allowed by the Shariat to go as long as they are Islamically covered from head to foot. My friend argues that only if they wish to go on a journey of 48 miles should a male of the *mahram* group accompany her. If she wishes to move around town, i.e. within a radius of 48 miles, she is free to do so and requires no *mahram*. The only requirement is proper Islamic dress according to my learned friend. I am somewhat confused at the contradictory opinions. Please clarify.

A. Your learned friend has slipped badly. His opinion is erroneous and in conflict with the Shariat. Accompaniment by a *mahram* is a question apart. Female non-emergence from the home is a *mas'alah* (law) on its own. Proper Islamic dress is another *mas'alah*. Female non-emergence from the home environment is not conditioned with improper dress. In other words, it does not mean that she has to remain in the home environment only if she is improperly clad and enjoys the right to run around, hither and thither, if she is properly clad. The Qur'aan Shareef prohibits the *khurooj* (emergence) of women. And, such prohibition is *ala itlaaq* (general, without any condition). According to the Shariat, even if she is covered from head to foot, including her face, it is *haraam* for her to emerge unnecessarily from her home environment. Visiting the hypermarket and going on window-shopping are acts prohibited in themselves by the Shariat for the daughters of Islam. Islam does not permit its daughters to go on show for the satiation of the vulgar gaze of all and sundry. Your learned friend has erred gravely and it is imperative that he realises his serious error otherwise he will be dwelling in *dhalal* which is spiritually contagious, especially so if your learned friend is one who imparts *Deeni* lessons. According to the Shariat it is not lawful for women to roam about in the manner stated by you. There is no difference of opinion among the *Fuqahaa* of Islam on this fact. *Hadrat Ibn Mas'ood* (radiyallahu anhu), a top-ranking *Aalim* among the *Sahaabah* reporting the ruling of *Rasulullah* (sallallahu alayhi wasallam) on the question of women coming out of their homes, said:

"Woman is an object of concealment. When she emerges, *shaitaan* casts surreptitious glances at her."

Brother, you can be rest assured, that by the *fadhl* of Allah Ta'ala, "The Majlis" is on the *Haqq*. In this age "The Majlis" is a solid repository of the Shariah. It is, *Alhamdulillah*, a *Shar'i* force which does not understand nor accept the concept of expediency and diplomacy of our time. Expediency and diplomacy are not among our attributes. You will, therefore, get nothing but the *Haqq* of the Shariat from us. This we know and this our detractors know. This is the *fadhl* of our Rabb upon us. We can therefore pronounce with the firmest of conviction that your learned friend has erred--and grievously too-- and that we are on the *Haqq* and on rectitude since what we have proclaimed on the question of *Purdah* is not our "extreme opinion", but is the TRUTH delivered to the Ummat by Muhammadur *Rasulullah* (sallallahu alayhi wasallam).

Q. Is it permissible to take a *qasam* (oath) in the name of a saint, nabi or on the Qur'aan or by the light, etc. as many people are doing?

A. It is not permissible to take oaths by any being or object other than Allah Ta'ala.

Q. Copies of the Qur'aan Shareef were donated for use in a particular Musjid. Is it permissible to use these copies for teaching children in the adjacent madressa? The madressa is conducted inside the Musjid building in that section where the *Janaazah namaaz* is performed.

A. It is permissible to use the copies of the Qur'aan Shareef for the purpose described by you and in the manner explained.

Q. Recently it came in the daily papers that to a large extent impure items such as urine, animal fats, etc. are used in cosmetics. It has also been said by some people that human "after-birth" is used in cosmetic-manufacture. What is the ruling of the Shariat on such cosmetics?

A. Cosmetics containing such *najis* (impure and filthy) ingredients are *haraam*. Because of the extensive use of such impure and *haraam* substances in cosmetics manufactured by non-Muslims it is not permissible for Muslims to use such cosmetics.

Q. Is it allowed in the Shariat to charge different prices for the same article? If for cash then I charge one price and if I sell it on credit I raise the price. Is this permissible?

A. It is permissible to charge different prices for the same article. However, it is essential to fix the price at the time of the transaction. If the customer agrees to pay the price asked, the transaction will be Islamically valid.

Q. Is it permissible to charge for granting debtors extension of time for payment? As an example, 10% on overdue accounts.

A. It is *haraam* to do so. Such charging is *riba*.

Q. Is it *jaa-iz* for women to cut their hair to please their husbands?

A. It is not permissible for women to cut their hair even if the *niyyat* is to please the husband. The husband has no *Shar'i* right of demanding or requesting his wife to transgress the laws of Allah Ta'ala nor is it lawful for the wife to submit to the unlawful demands of her husband. *Rasulullah* (sallallahu alayhi wasallam) said that obedience to anyone involving disobedience to Allah Ta'ala is not lawful.

Q. My wife passed away recently. It was said to me that no one should sleep in the room of my late wife because her soul remains in the room for forty days. We should therefore sleep in her room only after forty days. Is this correct?

A. It is not correct. The Shariat does not teach what your informants have told you. Pay no attention to this baseless story. The rooh of the mayyit does not remain in the house for forty days.

Q. What is the meaning of *Wahaabi*? Why do the *molvis* of the *Bareilli* sect refer to the *molvis* of *Deoband* as *Wahaabis*?

A. A *Wahaabi* according to the understanding of the *Bareilli* grave-worshippers is a Muslim who refrains from the following acts:

- (1) Making *sajdah* to the graves of the *Auliya*.
- (2) *Spreading* bedding on top of the graves of the *Auliya*.
- (3) Making *duaa* to the *Auliya*.
- (4) Participating in *urs*.
- (5) Believing that Nabi (sallallahu alayhi wasallam) is omnipresent.
- (6) Believing that Nabi (sallallahu alayhi wasallam) is *Aalimul Chaib*.

In short, a Muslim who shuns acts of grave-worshipping and *shirk* is termed by the Qabar Pujaaris of *Bareilli* as being *Wahaabis*. The Qabar Pujaaris of *Bareilli* call the *Deobandi* Ulama *Wahaabi* because they are the staunchest opponents of grave-worshipping which is the antithesis of the *Shar'i* concept of *Tauheed*.

About revealing attire, *Rasulullah* (sallallahu alayhi wasallam) said:

"Many women are apparently dressed but in reality are naked. They attract others (men) towards them and in this art of attracting (men) they are professionals. Such women will be deprived of the fragrance of *Jannat*."

The following is stated in *Ma jaalisul Abraar*:

"They (women) should not emerge onto the roads, for verily, their emergence is considered the result of lack of shame. It is therefore obligatory upon the husband to forbid his wife from coming out of the house."

Women drivers banned by Islamic lawmaker

RIYADH — An influential Saudi Arabian religious lawmaker yesterday invoked an Islamic precept forbidding women from driving motorcars.

In an interview with the newspaper *Al-Jazira*, Sheikh Abdel-Aziz Bin Baz contended that allowing women to drive cars would be "fraught with a lot of depravity, including being barefaced, being alone with strangers and running the risk of falling into incalculable sins".

Sheikh Bin Baz is the general chairman of the highly respected administration of *Iftaa*.

His laws, based on interpretation of the *Koran*, are observed by the populace and

supported by the ruling royal family of Al Saud as divine writs.

His statement on female driving prohibition was not worded as a law, but observers said one could soon be forthcoming.

A traffic police superintendent in *Dammam*, home of the world's largest oilfields, was quoted as saying: "It is improper for women to drive."

He also complained it "has been embarrassing for us to stop and question female drivers" for violations.

Other policemen, quoted in local newspapers, also cautioned that women would have to remove their veils to replace wheels in the event of a flat tyre. — Sapa-AP.

Allah Ta'ala commands women in the Qur'aan:

"And, remain firm inside your homes and do not make a display (of yourselves) like the exhibitions of the *Jaahiliyyah* (times of ignorance)."

Imaam Hasan Basri (rahmatullah alayh) said:

"What! Do you allow your women to wander around in public places mingling with the *kuffaar*. May Allah destroy those who have no honour."



Takabbur (pride) is a branch of shirk. Self-esteem and considering yourself to be great is thus shirk in a way because man is the servant of Allah. In claiming pride, man asserts for himself an attribute which is the exclusive prerogative of Allah Ta'ala. (Hakimul Ummat)



ISLAMIC

There is no treachery more calamitous to the Imaan of both the individual and community than the artful and deceitful methods employed by professed Muslims to subvert the Divine Commands of the Shariah – to buffet and batter the sacred Teachings of Islam so as to conform to the “ideals” and concepts of modern material learning. The modern Muslim – the western-educated Muslim – who is wholly inequipped with Islamic Knowledge and ignorant of the Culture which Allah Ta'ala has imposed upon the Believers is suffering from the lamentable disease of ‘mental evolution’. Whither he drifts, he knows not. Torn between cultures and loyalties, buffeted between spiritualism and materialism he walks like a man intoxicated; he plods along a razor-sharp path between kufr and Imaan. It is this internal mental conflict which has made the thinking process and ability of the western-Muslim the gravest of danger to his own Faith.

Sailing rudderless in this vast ocean of mental confusion and intellectual retrogressiveness our modern westernized Muslim brother endeavours to cast anchor, at the peril of his Imaan, in the loathful trait of inferiority. After all, he received his material learning and worldly education sitting at the feet of western masters of materialism whose speciality is the science of atheism. Therefore, he is constrained to take sides in the conflict of allegiances. It is this quality of servile inferiority in him which has established the modern Muslim as an adept and adroit misinterpreter of the sacred Laws of the Shariah.

In our age we observe that many Muslims not aware of the purpose of Risaalat (Prophethood) nor of the design of the western-educated Muslim “intel ligentsia” have been misled by the writings of the latter. They (the modernists) employ the phraseology and expressions of Rasulullah (Sallallaahu Alayhi Wasallam) and of the Holy Quran to expound their own viewpoints. They resort to the stratagem of interpreting the Quran and the Ahadith of Rasulullah (Sallallaahu Alayhi Wasallam) in the light of their own ideas, thus deceiving unwary Muslims – those who do not possess adequate Islamic Knowledge – into believing that the Quran and the Ahadith in fact propound and support the same conceptions as expounded by them (the westernized Muslims). There are many such personal concepts which they have attempted to slip into the structure of the Deen. But, in this booklet we propose to deal with their distorted and false interpretation of the Quranic verses and Ahadith pertaining to ILM or ISLAMIC KNOWLEDGE.

The term, AL-ILM or KNOWLEDGE mentioned in the Holy Quran and the Hadith of Rasulullah (Sallallaahu Alayhi Wasallam) is invariably interpreted – or more appropriately misinterpreted by the modernist Muslim to mean worldly knowledge, material knowledge or knowledge of material sciences. Hence we observe that the Hadith of Rasulullah (Sallallaahu Alayhi Wasallam), viz.,

“He who travels in search of knowledge, Allah will make easy for him the Path to Jannat.”

is interpreted thus:

“... that the scientist walks in the path of God.”, and its like.

The misguided modernist also alleges that “the sciences of astronomy and mathematics were taken up by the Muslims” in pursuance of the Quranic verses which “indicated the harmony of the stars and their movement.” And so it is with chemistry, physics, physiology, biology, etc., their acquisition being incumbent in the light of the materialistic interpretation of the Quran and Ahadith tendered by the modernist who is dazzled by the tremendous material progress set into motion by modern science.

At the very outset we wish to make it plain that we have no intention of negating the positive and beneficial achievements of material science nor do we seek to deny or decry Muslim contribution towards this branch of learning. The sole purpose of this article is to refute the false interpretation assigned by the modernist Muslim to the Divine Words of Allah Ta'ala. It is our intention to show that the hallowed rank – the sacred status attributed to these material sciences by the votaries of materialism is in reality a calumny uttered against Allah Ta'ala by those who profess and advertise themselves as Muslims. We intend to show that the Quranic verses and Ahadith cited in substantiation of the modernist claim that material science is commanded as a Fardh (Compulsory) obligation by Allah Ta'ala, do not refer – even remotely – to material science. The object of the Quranic verses and Ahadith of Rasulullah (Sallallaahu Alayhi Wasallam) on this subject of ilm is totally different from what is being vehemently and aggressively propagated by the modernists.

TAFSEER AND INTERPRETATION OF QURAN - PRODUCT OF REVELATION (WAHI)

The interpretation and Tafseer of any particular verse of the Quran or Hadith of Rasulullah (Sallallaahu Alayhi Wasallam) have to be searched for in the very text of the Holy Quran and in the Holy Ahadith of Nabi (Sallallaahu Alayhi Wasallam). Some verses of the Quran interpret and explain other verses. This is an acknowledged principle in the Science of Tafseer. Similarly, verses of the Quran and Ahadith are explained and interpreted by the Ahadith of Rasulullah (Sallallaahu Alayhi Wasallam). Individual opinion can never be termed Tafseer of the Quran or Hadith for the simple reason that the Deen of Islam is not the product of human intelligence. We have, therefore to bend our reasoning to conform to Revelation and not the other way round. Since interpretation and Tafseer of the statements and teachings of Deen are connected with our Imaan upon which hinges our eternal salvation in the Hereafter, it is imperative that we search for explanation of the Quran and Hadith in the very same Quran, Ahadith and in such authentic and authoritative Tafseers as has been transmitted to the Ummah by Rasulullah (Sallallaahu Alayhi Wasallam), his illustrious Companions and the great Mufasssireen of the Holy Quran.

Now in our quest for the true meaning – the Islamic meaning – of the word, ILM (Knowledge) mentioned in the Quran and Ahadith we have to apply the aforementioned principles and method. The Ahadith ordaining the obligatory nature of KNOWLEDGE and allotting such a lofty pedestal to Knowledge should be studied in conjunction with other Ahadith of Rasulullah (Sallallaahu Alayhi Wasallam) as well as with verses of the Quran relevant to this matter. Only then will we be in a position to arrive at the correct Islamic interpretation of the meaning of KNOWLEDGE or ILM.

PURPOSE OF MAN'S CREATION ON EARTH

The Holy Quran very unambiguously declares:

“I have not created jinn and man, but that they render Ibaadat unto Me.”

The term, “Ibaadat” is loosely translated as “worship”. This incomplete translation conveys the impression of only formal ritual prayers. But, “Ibaadat” does not mean only prayers and worship. The root word with its original letters (ع ب د) signifies “slavery”, hence a slave in Arabic is called “ABD”. A slave is supposed to be the property of his master. In Islam, the Believer is the ‘Abd’ or Slave of Allah because the ‘Abd’ has no desire of his own. His life is to be one of total submission to the Command of his Creator. Allah Ta'ala states in the Quran that the prime purpose for which man was created is to render total obedience to Allah. Now since we as the slaves of Allah have to fulfill His Will and Command, it logically follows that we have to be thoroughly acquainted and versed with His Commands. Since Allah Ta'ala demands total obedience from His slaves, we have to know what His Wishes are. We have to be adequately equipped with the knowledge of those Divine Laws according to which we are required to regulate our ephemeral life here on earth so that we may rightfully qualify to be known as the slaves of Allah Ta'ala. Total submission – total obedience to Allah as is commanded in this Quran and by Rasulullah (Sallallaahu Alayhi Wasallam) is only possible if we have ILM or knowledge of the Laws of Allah – of the Pleasures and Displeasures of our Creator. In the light of this ideal, viz. the seeking of Allah's Pleasure, Rasulullah (Sallallaahu Alayhi Wasallam) ordered:

“The acquisition of ilm is Fardh (compulsory) on every Muslim.”

The acquisition of that KNOWLEDGE by means of which the slave will recognize His Master and Creator – that Knowledge which will engineer the manner and ways in which the slave has to discharge his obligations, is Fardh or obligatory.

FEAR OF ALLAH A COROLLARY OF ILM (KNOWLEDGE)

The Holy Quran states:

“Verily, among the slaves of Allah the Ulama (those grounded in the knowledge of Deen) fear Allah.”

This ayat of the Quran emphasises that FEAR OF ALLAH is a necessary corollary of ‘ILM’. Hence, the type of knowledge commanded by the Quran is a knowledge which inculcates the Fear of Allah in the Believer. No branch of learning could achieve this purpose (the inculcation of Fear of Allah) like the Knowledge of Allah – the Knowledge of Islam. It requires no philosophical mind to understand that all branches of learning opposed to the Shariah and in contradiction of Rasulullah's Sunnah are negatory of this laudable attribute of Fear of Allah which has its mainspring in the Knowledge of the Laws of Allah. Experience and observation show that science based in the concept of materialism and atheism effectively stifle any Fear of Allah which man inherits by nature. The elimination of Fear of Allah is only the logical product of a “knowledge” which “establishes” the non-existence of the Creator of the universe. This, then proves that material sciences are branches of learning which are in diametric contradiction to that branch of Knowledge commanded in the Quran and the Hadith – that branch of Knowledge which imbues its votary with the angelic quality of Fear of Allah which is so necessary to gain the Pleasure of Allah Ta'ala.

That knowledge which plunges man into scepticism and unbelief can never be in harmony with a Knowledge whose centrifugal force is the Fear of Allah.

THE CONCEPTS OF “SCIENCE” IRRECONCILEABLE WITH KNOWLEDGE OF DEEN

The very ‘beliefs’ of the scientists – their ideas and concepts as expounded by themselves – are harsh in their contradiction of the Beliefs of Islam. The scientist's conception of creation and Godhood, his ridicule of the Life Hereafter and his reverence for this ‘god’ of materialism are irreconcilable with Fear of Allah which is the necessary result of true Knowledge – Knowledge of Allah.

“Beliefs” of ‘science’, e.g. the theory of evolution propounded by biology; the theories of astronomy rejecting the existence of the Heavens as propounded by Rasulullah (Sallallaahu Alayhi Wasallam), rock the very foundations of Faith in Allah. It is therefore the heights of absurdity to say: “The scientist walks in the path of God”. How can the scientist be walking in the path of God when his concepts and theories affirm the non-existence of the Creator of that vast, spangleless universe in which the atheist sees and acknowledges law and order, grandeur and marvel? How can the ‘knowledge’ of such Kufr (unbelief) be the Knowledge commanded by Allah Ta'ala?

How can “the scientist walk in the path of God” when his science of biology teaches him that some organs in plants and animals, known as vestigial organs in their terminology, have no function. They are according to his beliefs useless organs which have no purpose. But, Allah's Declaration in the Quran belies and rejects this blasphemy uttered by the scientist. Says the Quran:

“And, We have not created the Heavens, the Earth and EVERYTHING between them in vain. That is the false thinking of the unbelievers.”

“And, We have not created the Heavens, the Earth and all that is between them in idle sport.”

“And not a leaf drops (from the tree) but He knows it: and there is no seed in the darkness of the earth (underground) nor any dry or moist object but is recorded in a ‘Clear Book.’”

In the face of this clear and open conflict between science and the declarations of Allah Ta'ala, how can we say that the compulsory and the sacred Knowledge commanded by Allah and His Rasool (Sallallaahu Alayhi Wasallam) is the material knowledge of atheistic science? And, how can “the scientist walk in the path of God” when the scientist of astronomy mockingly quips:

“I did not see God up there (in space).”

This is the belief of the scientist – the astronaut – who manned a craft into space. And, this is the belief of most scientists.

The modernist claims that the Muslims established the science of biology as a result of the Quranic verses such as:

“We created every living thing out of water . . .”

If the modernist Muslim means by “the science of biology” that science of which the chief exponents are the atheists of our day then we wonder how they reconcile a “science” which rejects a Creator, a “science” which rejects the Islamic conception of creation, with a Knowledge which infuses Fear of Allah and commands implicit and blind Faith in His Existence and Power. The authorities of the science of atheism aver:

“Today the evolutionary concept is the foundation of all biological thought. It is the concept that unites all fields of biology; it explains the origin of species, their modifications . . .”

The science of atheism which permeates almost all branches of scientific studies of today is the very antithesis of the science of Fear of Allah which permeates the Knowledge (ILM) commanded by Allah Ta'ala and Rasulullah (Sallallaahu Alayhi Wasallam).

KNOWLEDGE IN THE LIGHT OF THE QURAN AND HADITH

Which is the knowledge that Islam has decreed obligatory upon its adherents? Which knowledge is Fardh (absolutely compulsory) upon the Believers? Let us search for the answer in the Quran, the Ahadith of Rasulullah (Sallallaahu Alayhi Wasallam), the statements of the Sahaba and the great men of Islamic learning. Allah Ta'ala says in the Quran:

“And, if you (O Muhammad!) were to follow their (the unbelievers') desires after ILM (the Knowledge) has come to you, then verily, you would be among the transgressors.”

“And, if you (O Muhammad!) follow their desires after Ilm (the Knowledge) has come to you, then you will find no protector nor helper for you.”

In these verses Allah Ta'ala uses the word, AL-ILM (the Knowledge). Now, what was the Knowledge which came to Muhammad (Sallallaahu Alayhi Wasallam)? Every Muslim knows that the ILM (the Knowledge) bestowed to our Nabi (Sallallaahu Alayhi Wasallam) was the Ilm of Wahi or the KNOWLEDGE OF REVELATIONS – the Shariah of Islam. All authorities of Islam are unanimously agreed that the word, AL-ILM appearing in these Quranic verses refers to the Ilm or Wahi which is the one and only receptacle of the Deen. The Books of Tafseer define this term, AL-ILM which appears in these verses thus:

“Al-Ilm is that (knowledge) which came from Allah Ta'ala.”

Verse 164 of Surah Baqarah reads:

“Verily, in the creation of the Heavens and the Earth; in the alternation of night and day; in the ship which sails in the oceans, which benefits man; in the rains which Allah causes to descend, enlivening the dead earth and spreading

therein all kinds of living creatures; and, in the movements of the winds and clouds suspended between heaven and earth are signs for a people who have intelligence.”

Who are these intelligent people said by Allah Ta'ala to recognize the Signs of Allah in these natural phenomena? The authentic Works of Tafseer state:

“The intelligent people (the people of knowledge) refer to those who reflect in these natural phenomena and realise that these are all transitory and passing events and occurrences which cannot endure or have any permanent existence of their own accord. The people of intelligence realise and conclude (from the observation of these phenomena) that there exists an Eternal Creator whose presence is permanent; Who is Alive; full of Knowledge; All-Wise; Who does as He Pleases; He commands as He wills; His Essence is attributed with perfection; He is devoid of any defect; He has no comparison or likeness . . . The people of intelligence, by reflecting in these natural occurrences and signs of Allah's creation realise the impressions of His Mercy, hence they acknowledge that only He deserves to be obeyed and worshipped.”

(Tafseerul Mazhari)

The people of intelligence – the people of knowledge – therefore, according to the Quran, are those who recognize, acknowledge and obey their Creator, and not “the scientist” who denies the very existence of his Creator. These verses which the modernist so much desire to adduce in favour of astronomy, biology, etc. were, therefore, not revealed to impel Believers into the domain of mundane learning. Rather, the ONLY reason for the revelation of these and like verses was to stir in man awareness, recognition and acknowledgement of his Creator:

Verse 7 of Sura Imraan reads:

“And, those grounded in ‘Al-Ilm’ (the Knowledge) say: We believe in them (in all the verses – both unambiguous and ambiguous); They all are from our Creator.”

In this ayat Allah Ta'ala lauds “those who are grounded in the Knowledge” because such men of firm knowledge do not dispute about the verses of the Quran. Whether they understand the interpretation of the ambiguous verse or not, they simply profess their belief and obedience in everything emanating from their Rabb. Tafseerul Mazhari records the meaning of “those grounded in the Knowledge” as follows:

“They are those of the Ahle Sunnah Wal Jamaat – those who cling with power to the clear (unambiguous) verses of the Quran and Sunnah and who follow the Tafseer of the Quran handed down by the Pious Sahaba(r) and Taa-bi-een who were the noblest in the Ummah. They refer the ambiguous verses to the clear verses and they shun desires and deceptions.”

Rasulullah (Sallallaahu Alayhi Wasallam) described the men who are grounded in the knowledge” as follows:

“Abu Dardaa (one of Rasulullah's Sahaba) narrated that Rasulullah (Sallallaahu Alayhi Wasallam) was questioned about “those grounded in knowledge” (the expression used in the Quran). Rasulullah (Sallallaahu Alayhi Wasallam) replied: They are those who fulfill their pledges; who speak the truth; whose hearts are pure; who maintain the purity of their stomachs (they do not devour what is unlawful); and, who guard their chastity (they do not indulge in fornication) – they are the men grounded in knowledge.”

(Tafseerul Mazhari)

The Tafseer of the expression, “grounded in the knowledge” given by Rasulullah (Sallallaahu Alayhi Wasallam) dispels any doubt as to the meaning of ILM or Knowledge – the Knowledge commanded as compulsory by Allah Ta'ala. The noble qualities cited by Rasulullah in his Tafseer of the expression, “Grounded in knowledge” are the products of a Knowledge which fixes man's gaze on the Hereafter. It is only the Knowledge of the Quran and the Ahadith of Rasulullah (Sallallaahu Alayhi Wasallam) which could engender these noble and angelic qualities and virtues in man. Thus, the Knowledge referred to in the Quran and Hadith is the Knowledge of the Deen which ushers success and eternal salvation in its wake. And, this sacred Knowledge which awakens man to his duties which were ordained by Allah Ta'ala propels man closer and closer to his Rabb. Therefore, this Knowledge of the Shariah stands poles apart from the “scientific” knowledge of the atheists and materialists in that it (the knowledge of materialism) diverts man from his Destination – the Aakhirat.

Another verse of the Holy Quran referring to the knowledge and wisdom which a Believer has to acquire and disseminate reads:

“And, (O Wives of the Prophet!) rehearse in your homes what is recited of the verses of Allah and of Hikmah (the Wisdom).”

What are the verses of Allah? And, what is this Hikmat or Wisdom? The Mufasssireen, unanimously claim that it refers to the Knowledge of the Deen.

“It (Al-Hikmah) means the Quran and such revelation (Wahi) which is not recited (i.e. which does not form part of the Quranic Recital), in other words, the Ahadith of Rasulullah (Sallallaahu Alayhi Wasallam). Muqaatil (R) says that Hikmat (referred to in the Quran) means the Laws and Advices of the Quran.”

(Tafseerul Mazhari)

In Surah Al-Faatir, Allah Ta'ala says:

“Verily, among the servants of Allah, the Ulama fear Allah.”

The term, Ulama or men of Knowledge, which is mentioned in this verse of the Quran clearly shows the meaning of the Knowledge the Quran speaks of.

The Books of Tafseer define the word, “Ulama” which appears in the abovementioned verse thus:

“The Ulama are those who ponder in the creation of Allah and establish by deduction (as a result of observing the wonders and marvels of Allah's creation) the existence of Allah, His Attributes, His Actions and His Bounties (upon man).”

(Tafseerul Mazhari)

Hazrat Ibn Abbaas (R), the great Sahabi who is known as the “Leader of the Mufasssireen” explains the word, “Ulama” which appears in this verse as:

“Allah Ta'ala means (by the term Ulama) “those among My creation who fear ME (Allah); those who have the Knowledge of My Power, My Majesty, My Control and My Splendour. He who has the most knowledge of Allah and His Attributes is the one who fears Allah Ta'ala most.”

(Tafseerul Mazhari)

Now how could the scientist who rejects Allah “walk in the path of God”? He has no knowledge of the Existence of Allah Ta'ala. He is bereft of any knowledge of the Attributes of Allah Ta'ala. He, thus, has no Fear of Allah. He walks in the path of the devil.

In another verse in Surah Baqarah, Allah Ta'ala mentions the Knowledge He granted to Talut (A.S.) who was appointed the king of Bani Isra-eel. The Quran says:

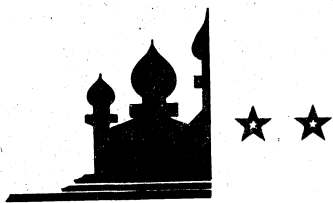
“Verily, Allah has appointed him (Talut) over you (Bani Isra-eel) and, Allah has increased him considerably in knowledge . . .”

The following is the Tafseer of the expression “considerable increase in Knowledge” which was granted to Talut (A.S.):

“The obvious meaning is Knowledge of the Shariah because the affairs of Deen as well as of the world are discharged correctly only through the Knowledge of the Shariah.”

(Tafseerul Mazhari)

KNOWLEDGE



Rasulullah (sallallahu alayhi wasallam) said:

"Do not present wisdom to the unqualified, for then you will be committing injustice against wisdom (hikmat); and do not withhold wisdom from those who are qualified, for then you will be committing injustice against them (those having the capability of appreciating wisdom)."



In Surah Mujaadilah, Allah Ta'ala says:

"Allah raises the rank of those who believe among you and the rank of the People of Ilm (Knowledge) is elevated by many stages."

The term, "the people of Knowledge" is defined in the Kitaabs of Tafseer as "the Ulama among the Believers". Explaining this verse of the Holy Quran, Hazrat Ibn Mas'ood (R) one of the eminent Companions of Rasulullah (Sallallaahu Alayhi Wasallam) said:

"O people! Understand this verse well. Let it encourage you towards the acquisition of Ilm, for verily, Allah Ta'ala says that He raises the rank of the Alim high above the rank of ordinary Believers."

The following Hadith of Rasulullah (Sallallaahu Alayhi Wasallam) also establishes well the meaning of Ilm or that Knowledge ordered by the Quran and Rasulullah (Sallallaahu Alayhi Wasallam).

"Hazrat Abdullah Ibn Umar (R) narrated that Rasulullah (Sallallaahu Alayhi Wasallam) once passed by two groups in his Masjid (i.e. Musjide Nabawi) and observed: 'Both these groups are on the Path of Righteousness, but one group is superior to the other. The members of the one group supplicate unto Allah and creates enthusiasm (for worship) towards Allah. If Allah pleases He will reward them. And, if He so pleases, He will withhold (the reward) from them. The members of the other group acquire the Knowledge of Fiqah (Islamic Jurisprudence) or Ilm and they teach the ignorant. Hence, they are superior. I have been sent (by Allah) as a Mu'allim (Teacher of the Deen).' So saying, Rasulullah sat in that group which was engaged in learning and teaching Fiqah."

In Surah Baqarah, Allah Ta'ala states:

"And, he to whom Allah awards Hikmat (Wisdom), verily he has been awarded a great blessing."

In the Tafseer of this verse, Hazrat Muaawiyah (R) - one of the Sahaba - says:

"With whom Allah Ta'ala desires to do good, He grants him understanding (Knowledge) in the Deen."

Thus, this Wisdom - this Hikmat which is inherent in true knowledge which Allah Ta'ala bestows to those whom He loves is the Fiqah of Deen - the Knowledge and the understanding of the Deen of which the Exponent was Muhammad (Sallallaahu Alayhi Wasallam).

In Surah Taubah, Allah Ta'ala says:

And, from every circle a group should issue forth to acquire Knowledge of the Deen so that they may admonish their people upon their return. This (has been ordained) so that they abstain (from evil)."

What could be more clear than this Command of Allah? What could explain better the true meaning of Knowledge than this clear-cut unambiguous ayat? Here, very explicitly, Allah Ta'ala commands that from every community a group of Believers should issue out in search of the Knowledge of Deen - in search of that Knowledge which will make man realise his obligations towards Allah - that Knowledge which will impel man towards the acquisition of the Pleasure of Allah - the Knowledge of the Shariah. For this very reason the Quran states:

TAFQAQ-QAHU FID DEEN

"Acquire Knowledge in the DEEN."

Even Yusuf Ali (who is in no way a Mufasssir or an authoritative Commentator of the Quran; who, in fact, interprets the verses of Allah in the light of his own ideas and concepts) is constrained to translate this verse to conform to the true meaning of Ilm. Thus he translates the abovementioned verse:

"They could devote themselves to studies of religion, and admonish the people when they return to them - That thus they (may learn) to guard themselves (against evil)."

Even in his "commentary", Yusuf Ali acknowledges that "knowledge" means the knowledge of the Deen. Hence, he says:

"... Even among those who are able to go forth (in Jihad) a party should remain behind - one in each township or circle - for purposes of study; so that when the fighters return home, their minds may be attuned again to the more normal interest of religious life, under properly instructed teachers."

Let us now examine the official and authoritative Tafseer for the explanation of this verse: "they should acquire knowledge in the Deen". Tafseerul Mazhari states:

"That is, they should make obligatory (upon them) the quest for Knowledge of the Deen and they (searchers of Islamic Knowledge) should bear all hardships in the search for Knowledge of the Deen."

In Al-Qamoos it is stated:

"The term FIQAH (which is used in the Quranic verse under discussion) is used synonymously for ILMUD-DEEN (the Knowledge of the Deen) ..."

Elaborating on the meaning of the term, FIQAH which denotes the Knowledge of the Deen, the author of Tafseerul Mazhari says:

"Know that the Knowledge of the Deen is divided into Fardh Ain and Fardh Kifaayah. The Fardh Ain comprises: the knowledge of the correct Beliefs; the necessary duties, e.g. Taharat, Salaat, Fasting, etc.; the knowledge of every Ibadat the Shariah as decreed upon man."

It is compulsory for man to acquire the knowledge of the rules of every act or practice which the Shariah has ordained, e.g. the knowledge of the laws of Zakaat if he (man) has wealth; the knowledge of the laws of Hajj if it becomes obligatory upon him. Similarly, it is compulsory to acquire the rules of all transactions and contracts he enters into. Hence (he has to learn) the knowledge of the Ahkaam of trade ... the rules pertaining to ribaa (interest), hiring, etc ... Rasulullah (Sallallaahu Alayhi Wasallam) said that the acquisition of Ilm (Islamic Knowledge) is Fardh upon every Muslim.

And, Fardh Kifaayah of (Islamic Knowledge) is the acquisition of all branches of Islamic Knowledge so that one attains the rank of Fatwaa (i.e. Mufti). If the whole community refrains from the acquisition of such Knowledge which is Fardh Kifaayah then all of them are sinners. But, if even one man in the community acquires this Knowledge, the responsibility is waived from the entire community. In such an event it becomes obligatory upon the community to follow him (the Mufti) in affairs which develop among them. Knowledge is superior to all Nafl Ibaadat because Rasulullah (Sallallaahu Alayhi Wasallam) said that the quest for Knowledge is superior by Allah than Salaat (Nafl Salaat), Fasting, Hajj and Jihaad in the Path of Allah."

Islamic Knowledge is of such excellence and sacredness that our Nabi (Sallallaahu Alayhi Wasallam) said:

"One Faqih is sterner on the devil than a thousand pious worshippers."

Note that Rasulullah (Sallallaahu Alayhi Wasallam) uses the word, FAQIH, in this Hadith. Faqih refer to an Alim "grounded in Knowledge", to use the expression of the Holy Quran. An Alim well rooted in the Knowledge of the Deen is called a FAQIH. The Shariah has never at any time designated an expert of worldly science as a FAQIH. The appellation is utilized exclusively for a man - for an Alim grounded in the Ilm of Islam. The verses of the Quran substantiate this claim amply. The verse in Surah Taubah uses a term which is a derivative of the root word, Fiqah (فقه) - the very same root (فقه) from which the word, FAQIH is derived. Allah Ta'ala states:

"Tafaq-qahu Fid-Deen: They should acquire the knowledge in DEEN."

THE ATTITUDE OF RASULULLAH (Sallallaahu Alayhi Wasallam) AND THE SAHABA (R) TOWARDS ISLAMIC KNOWLEDGE - A LIVING INTERPRETATION OF THE WORD: ILM.

A study of the life of Rasulullah (Sallallaahu Alayhi Wasallam) and of the noble Sahaba will divest any doubts which may linger in the mind of any Muslim regarding the definition and interpretation of the word: ILM or KNOWLEDGE. A sincere examination of the history of Rasulullah (Sallallaahu Alayhi Wasallam) and of his Sahaba will prove that the knowledge ordained as a compulsory duty upon Believers is only Islamic Knowledge. The acquisition of Islamic Knowledge is Fardh, therefore it could be claimed without any fear of contradiction that whoever neglects the execution of this Fardh duty is regarded as a sinner in the Shariah. Whoever fails to acquire the necessary Islamic Knowledge is liable for punishment in the Hereafter. But, no one dare say that if one does not study biology or physiology or astronomy or mathematics he becomes a sinner, hence liable for punishment in the Hereafter. On the Day of Qiyamah the Believer will not be asked whether he studied biology or not; whether he studied physics or not - but he will be questioned if he fails in the Fardh obligation of acquiring Knowledge of the Deen.

Because the Knowledge of the Deen is Fardh, we see Rasulullah (Sallallaahu Alayhi Wasallam) establishing a Madressa named 'Suffah' in Madina Munawwarah. The students who acquired Islamic Knowledge at this Madressa of Rasulullah (Sallallaahu Alayhi Wasallam) are known as 'Ashaab-e-Suffah'. This Madressa had a constant role of approximately eighty students. Among the Ustaads (Teachers) staffing this Madressa of Rasulullah (Sallallaahu Alayhi Wasallam) were the noted Sahabas, Hazrat Abu Hurairah, Ibn Mas'ood, Zaid Bin Thaabit, Ubay Ibn Ka'ab. The Ahadith of Rasulullah (Sallallaahu Alayhi Wasallam) explain in detail the subjects of Islamic studies imparted at the Suffah Madressa. Fardeh Ibn Maleek (who was later appointed the Governor of Yemen) travelled all the way from Yemen to acquire Knowledge of the Deen at the Suffah Madressa. The Hadith refers to him:

"He came from Yemen and acquired the Knowledge of the Quran, the essentials of Islam and of the Shariah."

(Ibn Sa'ad).

Rasulullah (Sallallaahu Alayhi Wasallam) despatched Sahaba (R) to remote places to impart the Knowledge of the Deen to the inhabitants. The following Hadith also throws light on the kind of knowledge ordained as compulsory by the Shariah:

"Hazrat Abu Umaamah (R) narrates: Rasulullah (Sallallaahu Alayhi Wasallam) sent me to my community so that I call them to Allah Ta'ala and that I present to them (my people) the Laws of Islam (the Shariah)."

(Mustadrak)

After the demise of Rasulullah (Sallallaahu Alayhi Wasallam) the illustrious Companions emigrated to the various parts of the Islamic Empire and established Madressas where they imparted the Knowledge of the Deen - the Quran and the Hadith. They never at any time indulged in the teaching of worldly sciences. In Madina Munawwarah, Abu Hurairah is of noted importance in the dissemination of Islamic Knowledge. In Damascus, Abu Dardah assumed the role of the Mu'allim - Teacher of the Ummat, imparting the Knowledge delivered to the world from Allah Ta'ala by Rasulullah (Sallallaahu Alayhi Wasallam). In Kufa, the Educator of the people was Ibn Mas'ud.

In Basrah, Imraan Bin Haseen discharged this sacred task of disseminating (by teaching) Islamic Knowledge. In short, Islamic Madressas or circles for imparting Islamic education were established in every centre of the Islamic Empire. And, prominent Sahaba supervised and expounded the Knowledge of the Deen to the populace ... and, ONLY ILM of the DEEN was taught by them.

In the annals of Islam the term, ILM was (and even today is) used synonymously for the Knowledge of the Quran and Ahadith. The great Faqih (Jurist) of Islam who was at the same time a Muhaddith of a very high standing, Hazrat Imam Auzaa'i (R) said:

"This Knowledge (referring to the Knowledge of the Hadith) was of great dignity while it was being imparted by word of mouth. Men would meet and discuss this Knowledge. However, when this Ilm was committed to books, the Noor (the celestial brilliance) of it departed as it (this Knowledge) fell into the hands of unfit persons."

(Jamiu Bayaanil Ilm)

Hazrat Ali (R) said:

"Study much the Hadith, for if you do not, your Ilm will become corroded."

(Jaami')

The great authority on Hadith and Faqih of Islam, Hazrat Imam Zuhri (R) who was among the Taabi'een, said:

"Verily, ILM is Hadith ..." (Tadreeb)

Hazrat Ibn Abbaas (R) - a Sahabi of a very high rank in Knowledge - while teaching his students said:

"Engagement in Ilm for a while during the night is better than remaining awake the whole night in prayer."

(Tadreeb)

Ibn Sa'ad (R) writes about Ata Ibn Abi Rabaah (R):

"Ata, whenever he narrated something would say: this is Knowledge or this is opinion. If what he said was a Hadith he would add: this is Knowledge (ILM) and, if it was a deduction (or opinion), he would say: this is opinion." (Jaami')

This, helps us to understand that in the golden era of Islam, Ilm was regarded as ONLY Islamic Knowledge - the Knowledge of Quran and Hadith.

The illustrious Imam, Faqih and Muhaddith, Hazrat Abdullah Ibn Mubaarak (R) said:

"After the Mission of Prophethood there is nothing superior to the Knowledge (i.e. Knowledge of the Deen)."

Rasulullah (Sallallaahu Alayhi-Wasallam) said:

"A while spent in knowledge during the night is superior to spending the whole night in prayer."

In the light of this Hadith of Rasulullah (Sallallaahu Alayhi Wasallam), Imam Ahmad Ibn Hambal (R) said:

"In my opinion a portion of the night passed in the engagement of Ilm is better than spending the whole night in prayer."

Upon hearing this statement, a man enquired from Imam Ahmad Ibn Hambal (R): "What is the definition of Ilm?"

Imam Hambal (R) replied: "To increase your self in the Knowledge of the Deen."

The man again asked: "Do you mean that Ilm refers to the rules of Salaat, Fasting, Hajj, Nikah, Talaaq, etc.?"

Imam Hambal (R) said: "That is precisely what I mean."

Hazrat Abu Hurairah (R), a very close Disciple of Rasulullah (Sallallaahu Alayhi Wasallam) said about Knowledge:

"Spending some time during the night in the acquisition of Fiqah of the Deen is better than passing the whole night in prayer."

When Hazrat Abu Musa (R), a Sahabi, was appointed governor of Kufa, Hazrat Umar (R), the then Khalifah, commanded him to disseminate "Ilm" in Kufa. The meaning of this Ilm is borne out clearly by the statement of Hazrat Abu Musa (R), viz.,

"Umar Ibn Khattaab (R) sent me to you (the people of Kufa) so that I may teach you the Book of your Creator and the Sunnah of your Nabi (Sallallaahu Alayhi Wasallam)."

(Izaalatul Khifaa)

Hazrat Ali Ibn Taalib (R) once addressed the people and said:

"Who wishes to purchase Ilm in return for one dirham?"

"Haarith A'war (R) went and purchased some pages for one dirham and returned to Ali (R) who wrote on the pages a great amount of Knowledge."

(Tabaqate Sa'd)

The type of Ilm or knowledge acquired and imparted by Hazrat Ali (R) as well as all the other Companions of Rasulullah (Sallallaahu Alayhi Wasallam) is too obvious to require further elucidation. The Sahaba regarded only the Knowledge of the Deen as Fardh (compulsory) knowledge. It was for this Islamic Knowledge of the Quran and Sunnah that they undertook their emigration from home and settled in distant lands so that the glory of Allah and this Divine Deen of Islam could be established.

Rasulullah (Sallallaahu Alayhi Wasallam) said:

"Verily, only the Ulama are the heirs of the Ambiyaa. And, the estate (which the Ulama inherit) of the Ambiyaa is not gold and silver."

Here, in this Hadith, Rasulullah (Sallallaahu Alayhi Wasallam) very clearly proclaims the sacredness and the great importance of Islamic Knowledge. Rasulullah (Sallallaahu Alayhi Wasallam) made it quite clear that his estate from which the Ulama inherit is not material wealth, but the wealth of Knowledge. And, what kind of Knowledge was the speciality of the Ambiyaa? Everyone knows that the Ambiyaa came to deliver the Deen of Allah to humanity. The mission of Prophethood does not consist of mere delivery of the Law of Allah. The Ambiyaa were the expounders, interpreters and practical exemplars of the Law revealed to mankind through their (Prophets') agency. The Holy Prophet (Sallallaahu Alayhi Wasallam) never taught material and athiestic branches of worldly knowledge. His mission was the Knowledge of Allah - the Knowledge which will endow man with the capacity to know his Creator and the ability to please his Creator - the Knowledge of the Shariah, and whoever qualifies in this knowledge of the Shariah inherits from Rasulullah's estate thus qualifying to the title of Alim.

Hazrat Ibn Abbaas (R) explains who the inheritors of the Ambiyaa are. He explains who the true Ulama or learned men are. He says:

"Become men of wisdom, men of Fiqah (Islamic jurisprudence) - Ulama." (Bukhari)

Everyone will agree that the knowledge endowed Divinely to the Prophet (Sallallaahu Alayhi Wasallam) was the Knowledge of Wahi or Revelation which is the basis of the Shariah. Numerous are the verses in the Holy Quran stating the duty of the Prophet (Sallallaahu Alayhi Wasallam). The role of the Ambiyaa is only one, viz. to impart to mankind the Knowledge of Allah Ta'ala and of His Commands. We quote here just one such verse which will establish and pin-point the kind of knowledge the Holy Prophet (Sallallaahu Alayhi Wasallam) was commanded to teach. The Quran states:

"We have revealed to you (O Muhammad!) the Quran so that you may explain to mankind what has been revealed to them."

The Sahaba as well as all the authoritative Mufasssireen in the period following the Sahaba, as well as all the learned authorities of Islam thereafter unanimously aver that wherever the Quran mentions the term, "Hikmat", or Wisdom, Allah Ta'ala means thereby the Sunnah of our Nabi (Sallallaahu Alayhi Wasallam). Hence, the knowledge commanded by Allah Ta'ala is the Knowledge of the Deen and not some worldly learning described as "knowledge" which casts one far from the fear of Allah. It has already been explained that Fear of Allah is inherent and intrinsic to true knowledge - the knowledge of the Shariah. Precisely for this reason, the Quran proclaims:

"Verily, among His (Allah's) servants, the Ulama fear Allah."

Even the "duas" made by Rasulullah (Sallallaahu Alayhi Wasallam) indicate very clearly the Islamic definition of the term, 'Ilm' or the knowledge ordained by the Quran and Ahadith. On one occasion Rasulullah (Sallallaahu Alayhi Wasallam) supplicated on behalf of Ibn Abbaas (R) as follows:

"O Allah! Grant him the Knowledge of the Kitab (Quran)."

(Bukhari)

On another occasion Rasulullah (Sallallaahu Alayhi Wasallam) prayed:

"O Allah! Grant him Understanding (Knowledge) in the Deen."

At another time Rasulullah (Sallallaahu Alayhi Wasallam) supplicated on behalf of Hazrat Ibne Abbaas (R):

"O Allah! Grant him Knowledge of Hikmah (i.e. Sunnah)."

And, again:

"O Allah! Grant him the Knowledge of Ta'weel."

In the terminology of Rasulullah (Sallallaahu Alayhi Wasallam) the word, Ta'weel, referred to Tafseer (Elaboration and Explanation) of the Quran. This is the agreed version and the Islamic interpretation of the term, Ta'weel used by our Nabi (Sallallaahu Alayhi Wasallam). It was because of these duas for Islamic Knowledge made on behalf of Hazrat Ibn Abbaas (R) by Rasulullah (Sallallaahu Alayhi Wasallam) that he (Ibn Abbaas) is known as:

"The Alim of the Ummah; the Head of the Mufasssireen."

In Surah Nahl, Allah Ta'ala states:

"Then, on the Day of Qiyamah Allah will disgrace them (the unbelievers). He will say: Where are My partners about whom you use to dispute (and assign to Allah). The men of Knowledge will say: Verily, today the supreme disgrace and evil is upon the unbelievers."

In this verse of the Quran Allah Ta'ala says that the men of Ilm will pronounce to the unbelievers the verdict of despair issued by Allah Ta'ala. The final and everlasting punishment ordained for the Kuffaar will be announced by the Ulama because here on earth it was the incumbent duty of the Ulama to call mankind to the Belief of Allah's Unity. The scientist, the biologist, the astronomer, etc. do not maintain and execute the Message of Allah on earth, hence they are not the people who have "been given Ilm" according to the Quran. It should be carefully noted that on the Day of Qiyamah Allah Ta'ala will pose the question of Imaan to the unbelievers and then the Penalty of rejecting Imaan will be announced by the Ulama (the men who have been given Ilm). Thus, in this verse as well as other verses of the Quran, the term "AH-ILM (the Knowledge) is closely linked with Belief and Practice - with the Shariah.

The Mission of the Ambiyaa was the propagation of Allah's Law and those who have acquired the Knowledge of this Divine Law sufficiently are called the Ulama, and it is the Alim who perpetuates the Mission of the Nabi (Sallallaahu Alayhi Wasallam) by virtue of that sacred Knowledge of the Deen, hence the qualification, Warathatul Ambiyaa or Heirs of the Ambiyaa. The "scientist" most certainly, does not qualify for the high designation of "Heir to Rasulullah". The biologist who rejects Allah's Power of Creation, most certainly, can never qualify for this title. In short, the masters of scientific knowledge are the chief expounders of Kufr and athiesm. How then can any sane Muslim ever commit the unpardonable crime of saying: "The scientist walks in the path of God.?"

In a passage of sublime beauty and appeal to Intelligence, Allah Ta'ala elaborately and beautifully describes and enumerates the noble qualities of men of true knowledge - knowledge which springs from the Fountainhead of Imaan. Verse 19 of Surah Ra'd reads:

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Bid'ah Hasanah?

Hadhrat Mujaddid Alf-e-Thaani (rahmatullah alayh) said:

MAY ALLAH TA'ALA GRANT THE ULAMA OF THE TIME THE TAUFEEQ OF NOT HAVING THE AUDACITY TO DESCRIBE ANY BID'AH AS BEING HASAN (BEAUTIFUL) EVEN IF THE BID'AH IN THEIR SIGHT APPEARS TO BE LIKE THE GLITTERING RAYS OF MORNING LIGHT BECAUSE IN ANYTHING OTHER THAN THE SUNNAH, THE DECEPTION OF SHAITAAN PLAYS AN IMPORTANT ROLE."

(Maktoob 23, Daftar II)

Analysing the TALE of the GRAVE—WORSHIPPERS

The Bid'ati Qabar Pujaari Jamaat (hereinafter referred to as BQPJ) having been decisively routed in two encounters with the Ulama of the Jamiatul Ulama (Eastern Cape), is making desperate attempts to maintain some degree of credibility among its own supporters. Members of the Port Elizabeth and Uitenhage Muslim public who witnessed the debate bear testimony to the total route of the molvies of the BQPJ. However, the BQPJ is presently touring such areas where there is a preponderance of its supporters and piling lies upon lies in its nefarious attempts to explain away their utter defeat and humiliation suffered in Uitenhage and Port Elizabeth. It should be noted that Port Elizabeth and Uitenhage were the only places where the grave-worshippers (Qabar Pujaaris) were not allowed to lecture at any Musjid—both those Musjids under control of the Jamiatul Ulama and those under control of the Muslim Judicial Council.

In the perpetration of Bid'ati falsehood, Mr. Abdur Raof, Imaam of the Westville Musjid, who happened to be one of the grave-worshipping bid'ati molvies who participated in the debate, while outlining at the Grey Street Musjid (Durban) the events which transpired at the debate, said that the Mujlisul Ulama of South Africa comprised of "no more than three" Ulama. We have no desire here to refute this claim of Mr. Abdur Raof since we propose to show up the baatil of the grave-worshippers on the basis of this very false claim which they are making and have made standing inside the Musjid.

In an attempt to discredit the Mujlisul Ulama of S.A., the Qabar-Pujaari Mr. Abdur Raof of Durban presented the tale of "three" Ulama. For the purposes of our argument we shall entertain this tale and point out to all that the Bid'ati Qabar Pujaari Jamaat was utterly routed by the "three" Ulama who by the grace of Allah and by the Aid of Allah instilled fear into the hearts of the grave-worshipping molvies to the degree that all the molvies of the bid'ati group remained in concealment for some days after the debate. In regard to the allegation of "three" Ulama, the following facts are to be noted, digested and understood so as to realize the utter baatil, ineptitude and cowardice of the BQPJ.

(1) The debate was between the Jamiatul Ulama (Eastern Cape) and the Bid'ati Qabar Pujaari Jamaat of Durban and not between the Mujlisul Ulama of S.A. and the grave-worshippers.

(2) Although the debate was ostensibly between the two groups listed above, two senior grave-worshippers, viz. Mr. M. Hassan, Pakistani member of Parliament and the mufti a'zam of the Qabar Pujaaris in Pakistan, and Mr. Noori, a senior molvie of the bid'atis from Bangalore India, participated in the debate as members of the Durban Qabar Pujaaris.

On the first night of the debate only Mr. Abdur Raof of the Durban bid'atis was present. His task was chiefly restricted to translating while the actual debaters of the grave-worshippers were the two senior members of the overseas Qabar Pujaaris. The fact that the debate was with the Jamiatul Ulama (Eastern Cape) was admitted by Mr. Abdur Raof in his talk at the Grey Street Musjid on the night of 25th December, 1981. This can be verified from the tape recordings of the night's exhibition of clowning which took place in the Grey Street Musjid. Mr. Abdur Raof read to the public the public challenge of the Jamiatul Ulama (Eastern Cape). In fact, the debate at the Uitenhage Musjid was the direct result of the public challenge which the Jamiatul Ulama had issued to the grave-worshippers.

(3) If the Mujlisul Ulama or the Jamiatul Ulama for that matter consists of only three Ulama, it in no way detracts from the rank of these bodies. Numerical inferiority is no set-back nor disqualification in matters pertaining to Shar'i Uloom (Knowledge).

(4) The grave-worshippers because of their stand of baatil and bid'ah are in dire need of numbers—of numerical superiority, hence it was witnessed that the BQPJ imported a relatively large group of molvies to oppose the "three" Ulama of the Jamiatul Ulama (Eastern Cape).

(5) The Bid'ati Qabar Pujaari Jamaat in its pamphlet described the group of bid'ati molvies which confronted us as "the powerful team" and "our brave band of Ulama", yet they had to send such a large group (thirteen in all over the two days) to deal with "three" Ulama about whom they speak so derisively. What was the need for a so-called "powerful team of Ulama" to deal with only "three" junior Molvies of the Deobandi Ulama? The answer is obvious.

(6) In the Qabar Pujaari team were two senior authorities of Bid'ah, viz. Mr. Mahmood Hasan, the Bid'ati mufti a'zam from Pakistan and Mr. Noori, a senior grave-worshipper from Bangalore. What was the need to field two senior Bid'ati molvies and a half a dozen other molvies of the BQPJ against "three" junior members of the Deobandi Ulama?

(7) The Bid'ati pamphlet distributed in P.E. and Uitenhage on Saturday 19th December, 1981 listed the arrival of Mr. Khustar, a chief of the Qabar Pujaaris, and another seven molvies who were supposed to come to P.E. and destroy the Deobandi Ulama. But, if Mr. Khustar was here as fortold by the BQPJ's pamphlet, he must have beat a hasty retreat on Monday 21st December some hours before the debate, for he was nowhere in sight at the debate. Along with him the other molvies who were supposed to have participated in the destruction of the Deobandi Ulama were nowhere in sight. Of the initial crowd of Qabar Pujaaris, the Bid'ati mufti a'zam, Mr. M. Hassan, Mr. Noori from Bangalore and Mr. Adur Raof of Durban remained or were compelled to remain over by the unexpected challenge issued by the Jamiatul Ulama on Monday morning, 21st December, 1981.

(8) The debate between the "three" Ulama and the molvies of the BQPJ lasted until about 2 a.m. on the first night of the encounter. In this debate the Bid'ati team took a resounding thrashing and suffered great humiliation in that their mufti a'zam and their other molvies presented childish and ludicrous arguments in substantiation of their claims. Even the public realized this ineptitude and gross deception being perpetrated by the Qabar Pujaari molvies. Not only the public, but the molvies of the BQPJ themselves realised their defeat at the hands of the "three" Ulama of the Jamiatul Ulama (Eastern Cape). This realization compelled the BQPJ to send out an SOS. In response to the SOS of the Qabar Pujaari mufti a'zam another four Qabar Pujaaris arrived the following day from Natal and Transvaal to attempt some sort of salvage in a bid to restore the battered image of the leading "ulama" of the BQPJ. What was the need to strengthen with four additional Qabar Pujaaris the so-called "powerful team of ulama" against only "three" junior members of the Deobandi Ulama? This cry for help sent out by the BQPJ representatives from Uitenhage amply demonstrates the dire straits in which the poor mufti a'zam and molvie

Hadhrat Shaikh Ahmad Rumi (rahmatullah alayh) said: "The Ahle Bid'ah (the people of innovation) and Dhalaal (deviated) are excluded from the Ahle Sunnah Wal Jamaat.

Hadhrat Chausul A'zam, Sayyid Abdul Qadir Jilaani [rahmatullah alayh] said that the sign of the Ahle Bid'ah is their habit of reviling those who follow the tareeqah of Rasulallah (sallallahu alayhi wasallam). They revile them and slander them.

Noori of the grave-worshippers found themselves. Yet Mr. Abdur Raof attempted to show that the "three" Ulama who confronted them were no match for the grave-worshippers. But, the truth of the matter is that the grave of the grave-worshippers was being dug by the grave-diggers of the Jamiatul Ulama and the Qabar Pujaaris had no desire to be buried alive, hence the urgent SOS call to aid in the fight against the "three" Ulama of the Jamiat.

(9) To add insult to the already battered image of the BQPJ's molvies (among whom was their mufti a'zam and member of parliament from Pakistan) four junior members of the BQPJ arrived the next day to participate in the debate and to attempt to haul out their stagnated "powerful team" from the quagmire of bid'ah and baatil in which it was hopelessly floundering. It is indeed a voluminous commentary on the ineptitude of the senior members of the BQPJ and the Bid'ati mufti a'zam from Pakistan to rely on four incompetent juniors for aid in a matter pertaining to Shar'i knowledge. But the four new recruits merely added to the sinking weight of the Bid'ati team—they could not aid or rescue their mufti a'zam and their senior molvie of Bangalore from the wreck in which they were tossing in a drunken stupor. So decisive was the rout of the Bid'ati Qabar Pujaari Jamaat that on the second night of the debate, Mr. Noori sat like a wet fowl, not uttering a single word. He sat and sulked behind the skirts of one junior bid'ati molvie who had arrived on that day. But this Mr. Noori was so vociferous in his clowning act at the Grey Street Musjid (Durban) and sang horsely songs of curse and bid'ati falsehood which is the spiritual food and the ibaadat of the grave-worshippers. At home in the Grey Street Musjid, Mr. Noori and the decrepit mufti a'zam bellowed like bulls and hawed and brayed curses like asses in regard to which Allah Ta'ala says in the Qur'aan-e-Kareem:

"Verily, the worst of sounds is the braying of an ass"

Listen to the tape-recordings of their "commentary" delivered in the Grey Street Musjid and you will not fail to realise the braying of the ass spoken of by Allah Ta'ala in the Qur'aan Shareef.

(10) The BQPJ is making a great play of numerical inferiority of the Jamiatul Ulama and its supposedly "three" Ulama, but the grave-worshippers had no alternative but to field the "cream" of their brains and present a "galaxy" of their luminaries in the confrontation with the "three" junior members of the Deobandi Ulama. This speaks volumes for their gross ineptitude, bid'ah, baatil and dhalaal.

(11) Haqq does not require numerical superiority in its stand against kufr, baatil, bid'ah and dhalaal. Hence, being "three" is no set-back for the Haqq of Islam.

(12) Allah Ta'ala is ONE and HE sent ONE Nabi (sallallahu alayhi wasallam) to confront the multitude of baatil forces. Bid'ah requires numbers and its numbers invariably consists of laymen of ignorance. Jahl is their capital. But, Haqq does not stand in need of large numbers. Being "three" is thus not a disadvantage for Haqq.

(13) The Sahaabah were in numerical inferiority but they confronted and vanquished the bid'ah and baatil forces in spite of their vast numerical superiority. Our being "three" is thus in line with the Sunnah of numerical inferiority for in matters of Knowledge and decisive action, numbers are of no significance.

(14) Every century Allah Ta'ala sends ONE Mujaddid whose task is to face and demolish the multitudes of the satanic forces of bid'ah and baatil. The task of demolition of bid'ah is imposed on the shoulders of a single mujaddid and in every age the BQPJ operating under a variety of designs and appellations are pounded by the single Mujaddid and Ulama singly in their personal capacities. Interpret then our "three" along the lines of the established Sunnah of Allah Ta'ala in the appointment of Men of Haqq to clobber the numerical superiority of the bid'atis.

(15) Taking into account the ignorance, incompetence, ineptitude and extreme weakness of the BQPJ, "three" junior Ulama of the Deobandi Ulama are more than sufficient for the task.

(16) The "three" members of the Jamiatul Ulama of Eastern Cape did not call for re-inforcements nor send out any SOS in the debate against the mufti a'zam and the "powerful team" of the Qabar Pujaaris. The "three" Ulama of the Jamiat stood on the rock of Haqq while the grave-worshippers were skating on thin ice, hence their cry for help when their mufti a'zam made such slips in a matter of Arabic grammar, which a first year child in our Arabic Madressas will discern and frown upon.

(17) After the second encounter with the "three" Jamiatul Ulama members, the whole miserable lot of grave-worshippers went into Purdah, hiding and dodging. They disappeared from public sight and falsely put out that they were leaving that day. But in all truth they went into concealment and remained days after the debate. Some were hiding in Uitenhage even two days after the debate and some remained even three days. Among those who most certainly remained three days was the molvi from Laudium, molvi mukaddam who had cunningly summed up the defeat and humiliation of their "powerful team", hence he vainly endeavoured to scuttle the debate from the very beginning on the second night. Mr. Mukaddam was the leading member of the re-inforcing party of grave-worshippers which arrived in answer to the SOS call of the Qabar Pujaari mufti a'zam, but he was the first one to desire discontinuation of the debate.

(18) The debate was unfinished. But, against the "three" Ulama of the Jamiat, the Qabar Pujaaris had no spirit left to stand. They childishly refused to come out and continue the debate against the "three" in spite of the eager and earnest appeal sent out by the "three" Ulama of the Jamiatul Ulama. With their tails between their legs they stood at a distance and called out that we should come to Durban to continue the debate, but they refused to continue the debate against the "three" notwithstanding the fact that they came to P.E. at a cost of R3000 specifically to destroy the Deobandi Ulama here. But they under-estimated the mettle of the Deobandi Ulama, hence their retreat and flight so ignominiously. They unreasonably refused to continue with the debate in spite of their presence here. Why were they so scared of the "three"? They can shout from the roof-tops that we must come to Durban to continue the debate, but they will not be able to pull wool over the eyes of neutral observers by this trick and deception because they came to P.E. to debate and they were here, but they adamantly refused to continue the debate in spite of our pleas. At this juncture we must divest the BQPJ of any fancy dreams of goondagery which it must be brewing up in anticipation of our coming to Durban for a continuation of the debate. Let them understand that they are dealing with a group of Deobandi Ulama cast in a different mould. Let them understand, open their ears and harken—we are not Hadhrat Maulana Abdul Hannan Saheb whom the BQPJ had assaulted in an alleyway with the aid of dagga-intoxicated louts. And, we are not the meek Hafez Bassa Saheb whom the BQPJ's cowardly thugs brutally assaulted. And, we are not the docile group of brothers who were cowardly beaten up by louts of the BQPJ while the brothers were innocently engaged in their Ibaadat in the Musjid. Thugs, louts, hooligans and gangsters, Alhamdulillah, instil no fear into us. Let the grave-worshippers understand this and get the message clearly.

EDITORIAL

HIQD-MALICE

Allah Azza Wa Jal proclaims in the Qur'aan Shareef:

"...You will consider them to be a single united whole, whereas (in actual fact) their hearts are torn apart."

An observer standing behind the rows of musallis standing shoulder to shoulder will be awed at the wonderful display of unity. The undetached observer watching the placing of foreheads of the jamaat in unison on the ground is indeed struck by this display of brotherhood. They seem to be one homologueous whole, but in reality their hearts are torn apart, brother wielding in his heart a dagger for the brother whose shoulder touches his in Salaat. This disunity which is being mentioned here is not the much-publicized disunity pertaining to the variety of Muslim organizations and sects prevalent everywhere and which prevailed from all time. Such *disunity* based on *hubb fillaah* (Love for Allah) and *bughdh fillaah* (hatred for Allah) is nothing to be perturbed about as it is an act or state of merit. The disunity which is the subject of this discussion is the disunity which rears its head in the wake of personal disputes and wordly arguments being the effect of the promptings of the baneful *nafsul ammaarah* in man. It is the disunity which prevails almost everywhere and almost everyone is caught up in this *nafsaani* wave of evil. It exists between parents and children; brother and brother; sister and sister; ustad and shaagird; ulama of the same maslak; between business partners, in short among all and sundry. It is a difference and disunity occasioned, not by *Shar'i* considerations, but purely by the dictates of the *nafs*.

Among the pernicious traits in man which wrougts the greatest havoc to the brotherly feeling which exists between one *mu'min* and another *mu'min* is the bestial and evil attribute of *hiqd* or *keenah* which could be described by the term, malice or hatred. In fact, *hiqd* or *keenah* is an advanced state of malice. It is the fermented product of pure *bughdh* (hatred). *Hiqd* is the exceptional degenerate feeling in man which stems from his impotency to seek revenge against the one who has angered him. When man lacks the power to take vengeance, his *bughdh* (hatred) smoulders and gives off spiritually odourous and extremely pungent vapours of dark smoke which engulfs the spiritual heart. Darkened in this way, the heart and mind of man scheme up ways and means of harming the one against whom the anger is directed. This degenerate feeling lurking in the heart of man is termed *hiqd* or *keenah*.

The smoke of *hiqd* dulls the lustre of the heart and erodes the intelligence. Blinded by the fog of *hiqd*, the sorrowful soul engrosses itself in malicious designs aimed at harming the target of one's malice. Clandestinely and surreptitiously the one entertaining malice for his brother sets in motion his scheme of harming his brother who yesterday was dear, beloved and respected to him. Blinded by the evil passion of *hiqd*, he utters whatever the *nafs* pumps into his heart embittered by his impotency to seek revenge, even though such revenge may be unlawful in terms of Allah's Law. When man is smitten by this malady of *hiqd*, he becomes utterly miserable and his spiritual condition lapses into a deplorable state of degeneration. He then clutches at falsehood, piling lie upon lie as this is his simplest handle to hang on and in this way he finds some escape for the noxious vapours of malice which he is continually storing up in his heart. He thus temporary finds a balm to soothe his embittered heart. But in reality this is no balm. It is an intoxicant the after-effects of which will have a detrimental consequence on one's *Imaani* development. The rot sets deeper into the heart.

When man has been vanquished by *hiqd* he slips into the slippery path of spiritual degeneration and if he fails to adopt immediate measures to extricate himself from his spiritual morass, he will ultimately be spiritually annihilated. In the state of *hiqd*, he breaks loose from the *tagleed* of dignity, honour and respect. He regards even his true benefactors to be his enemies like a child who fails to comprehend the rebuke of his father or mother--like an infant which cannot understand the act of the father snatching away the poison from its grasp. The tongue of the man suffering from *hiqd* finds freedom and solace in reviling the target of his malice, even though that target may be his senior. He no longer has any consideration or respect for his superiors if they happen to be the target of his *hiqd*, be they his parents or Ustaads. His heart conceals a dagger, but he lacks the power to use that dagger. He, therefore, awaits an opportunity to plunge that dagger into the heart of his brother to soothe his own heart tossing in the storm of *hiqd*.

Hiqd is indeed a spiritual malady of disastrous consequences. The intelligent one should ponder and examine his heart when overtaken by this disease. He should not destroy himself by submission to the vile dictates of *hiqd*. The following Hadith of Nabi-e-Kareem (sallallahu alayhi wasallam) will indicate the degree of villainy of this evil condition. Rasulullah (sallallahu alayhi wasallam) said in regard to *hiqd*:

"On Mondays and Thursdays when the Account of man's Deeds is presented to Allah Ta'ala, He forgives all those who made *istighfaar*, but He does not forgive those who have *hiqd* in their hearts."

Bid'ati corruption

Hadhrat Imaam Rabbaani, admonishing Shaikh Fareed to abstain from the company of bid'atis, said:

"Most certainly, the *fasaad* (corruption) and harm of the companionship of a bid'ati are worse than the corruption of the companionship of a *kaafir*."
(Maktoob, Daftar I)

Hence, the man of malice deprives himself of this special Rahmat which Allah Ta'ala bestows upon his repenting servants twice every week. This Hadith means that as long as *hiqd* lurks in the heart, one will not be forgiven by Allah Ta'ala no matter how much *istighfaar* one may engage in. Forgiveness will be forthcoming only if one expels the *hiqd* from the heart.

It is necessary to differentiate between an involuntary condition of bitterness and a volitional state of malice. The former condition is not *hiqd*. The term, *hiqd* will apply only if the malice is by volition--by one's intention and deliberation--and endeavour to cause harm to one's target of *hiqd*. If for some reason the heart has been embittered against someone, and this embittered condition lingers in the heart involuntarily it will not be described as *hiqd* providing that one does not engineer plans and ideas to harm or injure one's target of bitterness.

THE REMEDY

Like physical disease, spiritual malady too has its remedy and cure. Adoption of remedy in the spiritual realm is of far greater importance than remedy in cases of physical ailments, for physical disease brings about pain and harm to only the physical body. This harm is of a temporary nature whereas the destruction wrought by spiritual maladies protrudes into the *Aakhirat*. It is therefore imperative that the heart be purified of *hiqd* or *keenah*. As long as this evil remains embedded in the heart, there can be no spiritual progress. One's *Imaan* loses its lustre and the heart and mind are in the state of perpetual unrest and frustration. The state of *hiqd* is sinful, hence one labours in sin as long as this condition endures. There is no sweetness and no pleasure in either worldly duties or in *Ibaadat*.

The remedy for the malady of *hiqd*, according to the Auliya, is to overlook the wrong which you believe has been perpetrated against you. Forgive the one against whom your malice is directed. You may be right or you may be wrong in your conclusion of having being wronged. In remedying this ailment do not be detracted by the feeling of yourself having being wronged and that you are right. Let such considerations not divert you from the overriding importance of eliminating *hiqd*. The purpose of the remedy is to cure you of *hiqd*. Therefore, humble yourself, overlook the supposed or the real fault or wrong committed against you and renew your relationship with your brother for whom you are now entertaining malice and whom you are wishing and yearning to harm. Remember and contemplate that you are a total non-entity. Harm and good are in the power of Allah Ta'ala. All your *hiqd* will never be able to harm your brother. You are in ignorance merely destroying your spiritual life. You have no power. You do not possess the power to put down your foot safely as the next step in your process of walking. Meditate on the Power of Allah and on your own weakness. No matter how difficult it may seem, humble yourself, go up to your brother and cleanse your heart of the evil malice which is the seed of your *Imaani* destruction and the cause of so much disunity in the Ummah.

Divine Promise and power

In Fataawaa Rashidiyyah, Hadhrat Maulana Rashid Ahmad Gangohi (rahmatullah) explained the Islamic belief pertaining to Divine Power in relation to Divine Promise. Explaining this belief, Maulana Rashid Ahmad (rahmatullah alayh) said that Divine Promise does not negate Divine Power. It does not follow from a promise made by Allah Ta'ala that His power has decreased and that He lacks the power to act in contradiction of His Promise. Although Islam teaches that Allah Ta'ala will not violate His Promise it does not teach that promise reduces the power of Allah Ta'ala.

The fact that Allah Ta'ala will never violate His Promise should not and cannot be interpreted to mean that He lacks the power to act contrary to His Promise. Acting contrary to Promise is within the scope of His all-embracing *Kudrat* (Power), and His NOT violating His promise does not signify inability and impotency for Allah Ta'ala. When Hadhrat Maulana Rashid Ahmad Gangohi (rahmatullah alayh) explained this unanimous belief of Islam, the grave-worshippers distorted his words and falsely accused the great Maulana of asserting falsehood for Allah Ta'ala. In order to hoodwink ignorant masses and ensnare them into their commercial traps of religious wares, the bid'ati molvies accused Hadhrat Gangohi (rahmatullah alayh) of claiming that Allah Ta'ala has spoken a lie--*Na-oothubillah!*

Elsewhere on this page appear the statements of the the Ulama of Makkah Mukarramah regarding this particular belief expounded by Hadhrat Maulana Rashid Ahmad in Fataawaa Rashidiyyah, viz. the belief that acting contrary to promise while being within the scope of Allah's Power, Allah Ta'ala will not act in violation of His Promise. The Truth is manifest and the least intelligence, provided it is unbiased, will readily understand and accept the Haqq.

Ulama of Makkah: What they say

All praise is unto Allah, Him with Whom is reality and truth. I seek aid and taufeeq from Him. The above answer [i.e. on the question of acting contrary to promise being within the scope of Allah's Power] of Allaamah Rashid Ahmad is the Haqq (Truth) from which there is no escape. The above is the comment of Allamah Muhammad Saalih Ibn Siddique Kamaal, the Hanafi Mufti of Makkah Mukarramah.

The above comment was written by Allamah Muhammad Sa'eed Ibn Muhammad Baa-baseel, the shaafi Mufti of Makkah Mukarramah, under the instructions of Allaamah Muhammad Saalih Ibnul Marhoom Siddique Kamal. The following are the comments of the Maaliki Mufti of Makkah Mukarramah, Allaamah MUhammad Aabid Ibn Shaikh Husain and of the Hambali Mufti of Makkah Mukarramah, Allaamah Ibn Ibrahim:

"The answer given by Allaamah Rashid Ahmad (i.e. Ma-ulana Gangohi), is sufficient. Reliance and trust is on it. In fact it is the Haqq from which there is no escape."

SOME FALSE BELIEFS OF THE QABAR PUJAARIS

For the benefit of those members of the community who have been thrown into confusion by the false propaganda of the Bid'ati Qabar Pujaari Jamaat, several beliefs of the grave worshippers are enumerated hereunder. The unbiased reader will not fail to discern the *baatil* of the Qabar Pujaaris-- their falsehood which is reflected in their false beliefs. Among such falsities which the grave worshippers entertain are the following:

*Allah Ta'ala, the Creator of Jannat and Jahannam lacks the power, *Na-oothubillah!*-- of destroying these two abodes.

COMMENT: The proper Islamic belief is that Allah Ta'ala has the power to annihilate any creation of His. He is the Creator of Jannat and Jahannam as well as the Creator of all other creation. Although He has given the promise to maintain the existence of Jannat and Jahannam everlastingly, it does not follow that the Divine Promise has reduced Allah Ta'ala to impotency. He is Omnipotent and His promise not to annihilate Jannat and Jahaanum in no way diminishes His Power. Hence, destruction of Jannat, Jahannum or any other aspect of creation is fully within the scope of Allah's *Kudrat* (Power). The everlasting existence of Jannat and Jahannum is due to the Divine Promise and not due to any lack of power in Allah Ta'ala. Allah Ta'ala states in the Qur'aan Shareef:

"Verily, Allah has power over everything."

Divine Promise brings about a reduction in the Power of Allah Ta'ala, *Na-oothubillah!* The Bid'ati belief is that once Allah Ta'ala has made a promise, He no longer has the power to act contrary to His promise. Promise in terms of the grave-worshipping sect's belief diminishes the Power of Allah Ta'ala.

COMMENT: The true Islamic belief is that nothing can ever bring about a reduction or change in the Power of Allah Ta'ala. Allah Ta'ala is The Eternal uncreated Being. All states in Him are static. He undergoes no change. Nothing can influence Him. Nothing can act on Him. A promise made by Allah Ta'ala does not diminish His Power. Hence, shaitaan not being allowed into Jannat does not mean that Allah Ta'ala lacks the power to allow him to enter Jannat. Fir'oun being sent forever into Jahannum does not mean that Allah Ta'ala lacks the power to take him out of Jannat. The kuffaar's non-admittance to Jannat does not mean that Allah Ta'ala lacks the power to allow them entry into Jannat. Nabi Isaa (alayhis salaam) is presently alive in the heavens and has to return to earth prior to the advent of Qiyaamat. This is Allah's Promise. But, it does not follow that because Allah Ta'ala has stated this, He now lacks the power to kill Nabi Isaa (alayhis salaam) before the advent of his decent to earth. If Allah Ta'ala wishes to destroy Nabi Isaa (alayhis salaam), all humanity and all creation now this very second, He has the full power and authority to do so. Who can question His authority? he says in the Qur'aan Shareef that creation will be questioned about its acts, but He will not and cannot be questioned about His acts. If He desires to create or destroy, He merely says: *BE!* This utterance of "*BE!*" is merely for our comprehension. The time He requires to effect His Will is far, far less than the time it takes to utter, *BE*.

Muslims should be careful and not be ensnared into the traps of *shirk*, *kufr* and *baatil* of the grave worshippers by their singing, dancing and loud protestations of *ishq* (love)

Protection of the Deen is an obligation of the greatest importance. In the execution of this sacred duty one should not be deterred by love for creation, be it the love of relatives and dear ones. The love of the Deen, is superior and prior to all love. The superiority of love for the Deen outweighs by far any other form of love. The believer's first concern is for the superior love of Allah.

(Hakimul Ummat Maulana Ashraf Ali Thanvi)

The Qabar Pujaari sect attempts to reek out some support for its cause from certain writings of Hadhrat Muhaajir Makki, Haaji Imdaadullah, the Shaikh of Hadhrat Maulana Rashid Ahmed Gangohi, Hadhrat Maulana Qasim Narioti and Hadhrat Maulana Ashraf Ali Thaani. The bid'ati sect has endeavoured to show that Hadhrat Haaji Imdaadullah was in disagreement with these Ulama of Deoband. We reproduce here a letter written by the great Shaikh of Tasawwuf, Haaji Imdaadullah [rahmatullah alayh]. The letter was written by Ha-jee Saahib in reply to an enquirer who sought clarification in regard to Hadhrat Maulana Rashid Ahmad Gangohi (rahmatullah alayh). The letter clarifies the confusion and dispels the falsehood of the grave-worshipping sect.

In the Name of Allah, the Merciful, the Most Merciful. We praise Him and recite Durood upon His gracious Nabi (sallallahu alayhi wasallam).

This epistle is from Faqeer Imdaadullah Chisti to all friends generally.

In these days some letters from Hindustan have reached this Faqeer. The purport of these letters was that certain people hold detestable views about Molvi Rashid Ahmad (Gangohi) Sahib. The writers of the letters wished to know what attitude they should hold about Molvi Sahib (Maulana Rashid Ahmad Gangohi). On behalf of this Faqeer (i.e. Haaji Imdaadullah Sahib) publicize that:

Molvi Rashid Ahmad Sahib is an Aalim-e-Rabbaani (an Aalim of Allah) and a Faadhi-e-Haqqani (a true and qualified Aalim of the Deen). He is the resemblance of the Salf-e-Saaliheen (the great and pious authorities of the Deen of former times). He is an authority of the Shariat and Tareeqat (the branch of Islam dealing with spiritual purification and development). He is engaged in the Pleasure of Allah and His Rasool (sallallahu alayhi wasallam) night and day. He keeps alive the profession of imparting the knowledge of the Hadith Shareef. After Molvi Muhammad Ishaq, he (Maulana Gangohi) is the one who keeps alive this knowledge. In Hindustan, Molvi Rashid Ahmad is an unique example and an outstanding personality.

Molvi Sahib (Maulana Gangohi) provides solutions to the most intricate masaa-il. Approximately fifty persons qualify annually by him in the knowledge of Hadith Shareef. He is totally immersed in following the Sunnah of Rasulullah (sallallahu alayhi wasallam). He is engrossed in the love of Rasool-e-Kareem (sallallahu alayhi wasallam). He is the proclaimer of Haqq and the hadith,

"They fear not the insult of the insultors.", aptly fits him.

He reposes total tawakkul (trust) in Allah Ta'ala and he abstains totally from bid'ah. His profession is the dissemination of the Sunnah. He transforms people of defective belief into persons of correct belief. This is his trade. His companionship (suhbat) for the people of Islam is a tremendous boon and an alchemy. Sitting in his company induces the remembrance of Allah, and such remembrance is the sign of Men of Allah.

He is a muttaqi (pious and full of fear for Allah). He is detached from this world. He aspires for the Akhirat. He has excelled in tasawwuf and sulook. The rich and the poor are equal in his sight. His gaze is focussed equally on all. He is a man without worldly desire and without ego.

The praise which this Faqeer (i.e. Haaji Imdaadullah) has lauded on him (Maulana Gangohi) in the book, Ziyaaul Quloob, is the Haqq. Now my love and opinion for him have increased by a far greater degree than before. I consider him (Maulana Gangohi) as a medium for my najaat (salvation in the Akhirat).

I declare most emphatically that he who condemns Molvi Rashid Ahmad, hurts my heart. I have two wings. One is Molvi Qasim Naanotwi (the founder of Darul Uloom Deoband) who has passed away, and the other is Molvi Rashid Ahmad. This remaining wing of mine is now also being made a target (for villification) by people.

The Aqeedah (belief) of Molvi Rashid Ahmad and myself is the same. I too regard bid'ah to be evil. In matters of the Deen whoever is the opponent of Molvi Rashid Ahmad is likewise my opponent as well as the opponent of Allah and of His Rasool (sallallahu alayhi wasallam).

Some juhala (ignoramus) who distinguish between Tareeqat and Shariat do so because of their lack of understanding. Tareeqat minus Shariat is unacceptable in the Court of Allah Ta'ala. Cleanliness of heart is even attained by the kuffaar. The condition of the heart is like a mirror. The mirror is dirty. The dirt on the mirror can be removed with urine as well as rose-water. But the difference is a question of tahaarat (Shar'i purification) and Najasat (impurity). The recognition, therefore, of a Wali of Allah is the Standard of ittiba-e-Sunnah (following the Sunnah). He who follows the Sunnah is the friend of Allah. If one is a muftadi (bid'ati) one is absolutely false."

Haaji Imdaadullah, Makkah Muazzamah
25th Zil-Qadh, 1310

HAAJI IMDAAD- DULLAH AND MAULANA GANGOHI

COSMETIC NAJAASAT

An industry of great najaasat (impurity) is the cosmetic industry. A great variety of impure substances go into the manufacture of cosmetics--perfumes, creams, lotions, shampoos, etc. Among the najis (impure) and haraam substances utilized in the manufacture are:

* Urine, human after births, a variety of haraam animal fats, oils, body substances and alcohol.

In view of the preponderance of haraam and najis ingredients Muslims should abstain from using cosmetics manufactured by non-Muslims.

There is further, no compelling need for Muslims to make use of such impure substances. Pure halaal perfume (ittar) is available in abundance. Muslims should rather utilize halaal perfumes thereby gaining the thawaab of fulfilling the Sunnat of our Nabi (sallallahu alayhi wasallam).

While on the subject of perfumes, Muslim ladies have to remember that according to the Shariat it is not permissible for them to apply perfume or any fragrance and go to or towards or pass by a gathering or place where men are. Rasulullah (sallallahu alayhi wasallam) has severely condemned such women. Rasulullah's (sallallahu alayhi wasallam) own words in this connection are:

"A woman who applies perfume and goes to a gathering where men are, is like this and like that (meaning thereby that she is a woman of extremely low morals."

INFERIORITY

Westernized Muslims should confess that they suffer from the serious malady of inferior mentality. This inferiority complex which has afflicted them is manifested in their taqleed (blind-flowing) of whatever ways and fashions the western master introduces. When the western man decides to change a style or mode of dress, our westernized brethren consider it praiseworthy, fashionable and in line with progress and advancement to blindly adopt the new craze and fashion even if the latest fashion is immoral and haraam in accordance with the Shariat.

Let us consider the example of male nudity. In Islam, according to Rasulullah (sallallahu alayhi wasallam), a man is considered to be nude if his thighs are exposed, hence that part of the body between the navel and the knees is termed satar which has to be compulsorily concealed at all times. It is haraam for a Muslim male to expose his thighs and offer them for public-viewing. Rasulullah (sallallahu alayhi wasallam) said:

"Do not look at the thigh of a live or dead person."

It is clear from the categoric statements of our Nabi (sallallahu alayhi wasallam) that it is not permissible for those who are engaged in giving ghusl to the dead man, to look at his thighs. To what degree then, will the prohibition apply to viewing and exposing the thighs of a living man? Your Imaan should answer. To obtain this answer you require no fatwa from any Mufti. After having heard what Nabi-e-Kareem (sallallahu alayhi wasallam) said in this regard, you are bound to follow the following advice of Rasulullah (sallallahu alayhi wasallam):

"Seek a verdict from your heart."

Your heart will not fail in giving you the correct answer; Insha'Allah. Rasulullah (sallallahu alayhi wasallam) further said:

"The thigh is aurah (an object which has to be compulsorily covered)."

Now when you have heard and understood the Verdict of the Shariah on exposing of thighs, then ponder about the latest style of male nudity introduced by the west, viz. joggers. Like apes following a leader, we find many a westernized brother denuding himself of whatever Shar'i shame he may have possessed and in imitation of khunthaa [hermaphrodite] tastes dons a masculinized form of panties. This then adequately demonstrates the inferiority of mentality mentioned by us earlier on. May Allah Ta'ala save Muslims from this disastrous spiritual calamity.

For protection against enemies recite the following daily after Fajr Salaat and after Maghrib Salaat:

Surah Ikhlās (thrice)
Surah Falaq (thrice)
Surah Naas (thrice)

Fatwa of the QABAR PUJAARI KING

Regarding the practice of kissing the thumbs and rubbing on the eyes when the muazzin calls out the blessed name of Rasulullah (sallallahu alayhi wasallam), Molvi Ahmad Razaa Khan Bareilwi, the chief of the Qabar Pujaari sect, was constrained to observe:

"The practice of kissing the thumbs and placing them on the eyes at the time of hearing the holy name of Nabi (sallallahu alayhi wasallam) in the Athaan, is not proven by any marfoo' hadith. The narrations regarding this practice are not free from fault. Therefore, the one who asserts such claim (direct, marfoo') or who regards this practice as Sunnat Muakkadah or who criticizes those who refrain from this custom, is undoubtedly in error.

Yes, kissing the thumbs appears in some weak and defective ahadith.

(Abraarul Maqaal)

MUJADDID ALF THAANI SAID

Hadhrat Mujaddid Alf-e-Thaani (rahmatullah alayh) said:

Practice according to the established Sunnah and abstain from Bid'ah which is reprehensible. Even if bid'ah appears to be glittering like morning light (as the so-called bid'ah hasanah acts of the grave-worshippers), in reality there is no noor (celestial lustre) in it nor is there any cure for any ailment in it (bid'ah).

Bid'ah either displaces Sunnat or it is silent about such displacement. In the latter case it will be an accretion to the Sunnat. Such accretion (or addition) in reality is tantamount to the abrogation of Sunnat because accretion to the Nass (the clear and categoric law of the Shariat) is naskh (abrogation) of the Nass. In other words, no matter what type of bid'ah it may be, it displaces the Sunnat while at the same time it is its opposite. There is absolutely no husun (beauty) nor khair (virtue) in bid'ah.

Alas! After the perfection of the Deen and after the choice of Islam as the Divine Favour completed, how could these men have described innovated practices (bid'ah muhdathah) as being hasan (beautiful)? They do not know that the Qur'aan states:

"After Haqq is nothing but dhalaal (divergence from the Truth)."

(Maktoob 19, Daftar II)

This is a time in which the world is engulfed in an ocean of darkness as a result of bid'ah in profusion. The Noor of Sunnah seems like fire-flies (points of light in the darkness) in the ocean of darkness. Bid'ah reduces this Noor. One has to practice in accordance with the Sunnah and dispel the darkness of bid'ah. This is the only act which can augment the Noor of Sunnah and eliminate bid'ah.

(Maktoob 23, Daftar II)

The best advice (naseehat) which can be given to noble and fortunate friends is to follow the established Sunnat of Rasulullah (sallallahu alayhi wasallam) and refrain from bid'ah which is reprehensible. The one who revives a Sunnat from among the neglected Sunnat practices will obtain the thawaab of a hundred shuhadaa (martyrs). From this may be gauged the (tremendous) thawaab which is to be attained by reviving some act of Fardh or Waajib.

(Maktoob 87, Daftar II)

The adoption of the Naqshabandiyyah Path from the Orders of the Sufiyyah is most laudable and appropriate because the saints of this Order have decreed compulsory the following of the Sunnah and they have abstained from bid'ah. The saints of this Order did not condone raqs (devotional dancing) and simaa' (devotional singing) nor did they accord consideration to the spiritual states developing on the basis of raqs and simaa'.

In fact, they regard even Thikr Jahr (loud thikr) as bid'ah and have consequently prohibited it. They did not heed the benefits resulting from Thikr bil Jahr.

Once I was present at meal-time in the gathering of Hadhrat Ishaan (rahmatullah alayh). When food was served, Hadhrat Shaikh Kamaal (rahmatullah alayh) who was among the sincere and close associates of Hadhrat Khwaja (rahmatullah alayh) recited Bismillaah aloud at the commencement of eating. Hadhrat Ishaan (rahmatullah alayh) severely reprimanded him and viewed this act (of reciting Bismillaah aloud) with extreme displeasure. Hadhrat Ishaan (rahmatullah alayh) commented then: "Tell him not to attend our gatherings of eating."

(Imaam Rabbaani, Maktoob 266, Daftar I)

Imaam Rabbaani, Mujaddid Alf-e-Thaani (rahmatullah alayh) said:

I heard from Hadhrat Ishaan (rahmatullah alayh) that once Hadhrat Khwaja Naqshabandiyyah (rahmatullah alayh) in the company of the Ulama of Bukhara went to the khaanqah of Hadhrat Ameer Kalaal (rahmatullah alayh), the purpose of the visit being to prevent them (the people of the khaanqah) from Thikr Jahr (loud thikr). The Ulama explained to Hadhrat Ameer Kalaal (rahmatullah alayh) that loud thikr is bid'ah and that they should desist from it. Replying, Hadhrat Kalaal (rahmatullah alayh) said that they will refrain from this form of thikr.

Now when the Auliya of this Order (Naqshabandiyyah) prohibit even Thikr Jahr with such emphasis, then what could be said of simaa', raqs and wajd?

(Maktoob 266, Daftar I)

Imaam Humaam Ziyaauddin Shaami (rahmatullah alayhi) wrote:

"The practices of the Sufis are not proof in matters pertaining to halaal and haraam. It is sufficient that we regard as ma'zoor (excused on the basis of a valid reason) those Sufis whose acts and statements conflict with the Shariat. We should not criticize them. Here in matters of the Shariah, the statements of Imaam Abu Hanifah, Imaam Abu Yusuf and Imaam Muhammad (rahmatullah alayhim) are of reliance not the practices of Abu Bakr Shibli or Abu Hasan Noori,

(Maktoob 266, Daftar I)

Hadhrat Rumi (rahmatullah alayh) said:

"If ilm (Knowledge of Allah) is used for sustaining the physical body, it (ilm) becomes a serpent and if it is absorbed by the heart, it becomes the best companion."

THE MUJADDID ON BIDAH

The bid'ati sect brazenly employs the illustrious name of Hadhrat Imaam-e-Rabbani Mujaddid Alf-e-Thaani (rahmatullah alayh) in a deceptive attempt to show to the unwary public that the great Mujaddid of the previous Islamic millenium condoned the *bid'ah* practices of the grave-worshippers. But the truth is that Hadhrat Mujaddid Alf-e-Thaani (rahmatullah) was the arch-opponent of *bid'ah* and the greatest exponent of *Sunnah* of his time. It is Islamically inconceivable that a Mujaddid whose sacred task is to weed out all the accretions of the past century would condone and foster acts of grave-worshipping, acts of *shirk* which is the very antithesis of the Shar'i concept of *Tauheed*. Hereunder we present the statements of the great Mujaddid on some of the *shirk* and *bid'ah* practices of the Qabar Pujaaris.

Among the haraam acts of the bid'ati sect are:

OFFERING OF ANIMALS AS SACRIFICE TO THE AULIYAA
A practice among the bid'atis is to sacrifice animals at the graveside of the Auliya and the sacrifice is made, not in the name of Allah Ta'ala, but in the name of the saint. Commenting on this bid'ati custom, Hadhrat Mujaddid Alf-e-Thaani (rahmatullah alayh) said:

"In terms of Fiqhi narrations (the Law of the Shariat) the vows of (sacrificial) animals-- fowls, goats, etc.-- which these people (the bid'atis) make for the saints and their slaughtering of such dedicated animals at the graveside of the saint are included in *shirk* (polytheism-- association in the worship of Allah). In this regard the Fuqahaa (Jurists of Islam) have adopted very stern measures. They have likened these sacrifices to the sacrifices made for jinns (and idols)."

FASTING IN THE NAME OF SAINTS

Bid'atis, in particular womenfolk, keep fasts in the name of their peer (spiritual guide). These fasts are used as a medium to petition the peer for the fulfilment of wishes and desires. Regarding this practice Hadhrat Imaam Rabbani (rahmatullah alayh) said:

"This act of these ignorant women is *shirk fil ibaadat*."

PROSTRATING TO THE PEER

Some ignorant bid'ati peers permit their mureeds to make *sajdah* for them. Hadhrat Mujaddid Alf-e-Thaani (rahmatullah alayh) comments:

"Reliable persons have informed that the mureeds of some of your khulafa (representatives) make *sajdah* for them (the khulafaa) and they (the khulafaa) are not contented with even the act of ground-kissing (by their mureeds). The evil of this practice is clearer than the sun. Forbid them with the greatest of emphasis. It is imperative that every person refrains from acts of this kind. This importance is greater for the one who has set himself up as a leader of men because his followers will imitate his acts and in this way become entangled in evil and misfortune."

(Maktoob 92, Daftar II)

AT—TAWWAABO: In the presence of a tyrant and oppressor, recite AT—TAWWAABO ten times. Insha'Allah, you will be saved from his cruelty.

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SAJDAH TO THE GRAVES OF THE AULIYAA

Among the acts of grave-worshipping of the Qabar Pujaris is their performance of *sajdah* to the graves of the saints. About such *sajdah* for the graves, Imaam Rabbani (rahmatullah alayh) said:

"O Brother! *Sajdah*, i.e. placing the forehead on the ground is an act of the greatest humiliation and lowliness. It is an exhibition of total humility, hence this form of humility is exclusive with the Ibaadat of Allah Ta'ala. *Sajdah* is not permissible for anyone besides Him.

(Maktoob 92, Daftar II)

ASSIGNING COMPULSION TO NAFL

The Ahl-e-Bid'ah accord the category of *wujoob* (compulsion) to certain forms of *nafl* namaaz. They give greater prominence to such *nafl* than the prominence they accord to *Fardh*. In this regard Hadhrat Mujaddid Alf-e-Thaani (rahmatullah alayh) said:

"The obstinate ulama (of the Bid'atis) endeavour to make *nafl* customary and destroy *Fardh*. For example, Namaaz Aashooraa (on 10th Muharram). This Salaat has not reached us from Nabi (sallallahu alayhi wasallam) by way of authentic transmission. But, they (the bid'atis) perform this namaaz in an organized manner in congregation in spite of the fact that they are aware that the narrations (of the Shariat) proclaim the *karaahat* (detestibility) of *Nafl Jamaat*. They are indolent in executing *Fardh Salaat*. Rarely do they (bid'atis) perform the *Fard Salaat* in the *Mustahab* time. On the contrary, they transgress even on the valid times. At times they consider the performance of *Fardh* individually to be sufficient."

(Maktoob 186, Daftar I)

TURBAN IN THE KAFAN

Another bid'ah practice is the insertion in the *kafan* of a turban. The mayyit is donned with a turban. Imaam Rabbani (rahmatullah alayh) comments on this bid'ah:

"They (bid'atis) describe the turban in the *kafan* of the mayyit as Bid'ah Hasanah whereas in actual fact this bid'ah hasanah displaces the Masnoon number of cloths, viz. three. It is thus an accretion to the Sunnat. This then is *naskh* (abrogation) and is precisely the displacement of the Sunnat.

CELEBRATIONS

Among their practices of *bid'ah* is the organizing of gatherings and celebrations on certain occasions such as the Day of Aashooraa, the 15th Night of Sha'baan, the 27th Night of Rajab, etc. About such celebrations, Hadhrat Mujaddid Alf-e-Thaani (rahmatullah alayh) said:

"They (bid'atis) resort to elaborate arrangements for the Day of Aashooraa, the Night of Baraa't, the 27th Night of Rajab and the first Friday night in the month of Rajab, which they term, *Lailatul Raghaa-ib*. They perform *Nafl Namaaz* with elaborate arrangements and in congregation. They consider this to be an act of virtue, but they are not aware that it is in fact the trick and deception of shaitaan who presents *sayyiaat* (evil deeds) in the form of *hasanaat* (virtuous deeds).

(Maktoob 288, Daftar I)

DANGER AND DUA

One should not be unduly concerned or perturbed by events and happenings beyond one's control. No matter how grave or dangerous the circumstances may seem, maintain calm and resort to *duaa*, for Rasulullah (sallallahu alayhi wasallam) has said that *duaa* is the essence of *Ibaadat*.

The dangers of war and strife are beyond one's control. Therefore, do not become over-anxious and fearful about these events. Maut or death is a certainty which will not occur before its appointed time. If everyone understands this reality-- the reality of certain death at an appointed time-- people will not be smitten by fear nor become unnecessarily perturbed.

Maut cannot be advanced nor delayed by a second before or beyond its stipulated time. This is an incontrovertible Decree. It will therefore be of much benefit to inculcate the attitude of resignation to the ultimate moment of death at its decreed time. Worry, fear and concern regarding impending dangers will then be eliminated.

When Allah Ta'ala has decreed death to happen at an appointed time, why be perturbed unnecessarily about the danger of impending death?

(Hadhrat Hakimul Ummat Maulana Ashraf Ali Thanvi)

THE MOTIVE

The motive and concern should be, *service to the Ummat and the protection of the Deen*. Aggrandisement, seeking name and fame should not feature anywhere in one's purpose. One's attitude should be total indifference to name and fame. When rendering service to the Deen, the desire for fame should not be permitted to contaminate this meritorious act.

(Hakimul Ummat)

WE CHALLENGE THEM!!!

The bid'ati qabar pujaari jamaat is making vociferous claims that it has defeated the Deobandi Ulama in the debate which was held in the Uitenhage Musjid. Let them back up their claim by making available the true, unadulterated and untampered original tape-recordings of the proceedings of the first night. Let them release the four nad half hour recordings of the first night's debate-- we have our own recordings of 2½ hours of the second night's proceedings. We challenge them to release the tapes. They will never respond to this challenge by making available the tapes, for then the baatil and the defeat of the grave-worshipping sect will become manifest to all. They are now concealing the original recordings in the same way in which the grave-worshipping molvies went into concealment after the debate and refused to come out and continue the debate despite our repeated appeals.

Current Nisaab of Zakaat R170

JUDGE FOR YOURSELF:

The debate proceedings between the Jamiatul Ulama and the Bid'ati Qabar Pujaari Jamaat, which took place on two nights in Uitenhage lasted for seven hours.

The Bid'atis are offering recordings of less than two hours for the combined debate of the two nights.

The jamiatul Ulama has made available recordings of 2½ hours for the proceedings of only the second night.

The debate of the first night was 4½ hours and that of the second night 2½ hours.

Moulood

I vehemently prohibit the practice of moulood because it is contrary to our Path (Shariah). I prohibit whatever is in opposition to our Path, whether the contrary act be 'simaa', riqs (Spiritual dance and music), poetry, music, and moulood practices.
(Mujaddid Alfe Thaani)

Continued from page 7

"He who knows that which your (Muhammad's) Creator has revealed to you (O Muhammad!) to be the Truth can never be like one who is blind. Verily, only the People of Intelligence reflect. (And the People of Intelligence - Knowledge) are those who fulfill their promises; those who do not break their Pledge; those who maintain what Allah has commanded to be maintained; those who fear their Creator; those who fear the dreadful Reckoning; those who have patience searching the Pleasure of Allah; those who establish regular Salaat; those who spend in privacy and public of the wealth which We have bestowed to them; those who ward off evil with what is good; They are the ones who will inherit the Blessed Abode of Success (in the Hereafter)."

The many noble qualities of grace and virtue outlined in this passage of the Quran are all closely associated with the Deen of Allah. In fact the Deen is given in a nutshell in the above-quoted passage. It is only through the agency of Knowledge of the Deen that one could cloak oneself with the angelic attributes spoken in these verses. Worldly knowledge can never imbue one with these attributes of nobility.

Nowhere in the Quran, nowhere in the Ahadith, nowhere in the statements of the Sahaba and nowhere in the whole of the Shariah is it stated that among the qualities of the People of Intelligence or Knowledge are astronomy, biology, physiology, "science" or atheism.

CONCLUSION

The prime motive of true Knowledge, the Ilm commanded by Allah, is to inculcate in the Believer the Fear of Allah through which man is constrained to maintain a correct relationship with his Creator so that he gains the greatest of rewards for his obedience to Allah, viz., the Pleasure of Allah. Knowledge of the Shariah endows man with the capacity to discharge all Divine obligations and requirements in accordance with the Holy Law of Allah Ta'ala. It is therefore, the Alim who walks in the Path of Allah - not the godless scientist who does not even know the meaning of "God". It is the student of Deen who leaves hearth and home in the quest of the Knowledge of the Shariah who walks in the Shadow of Allah's mercy and on the Carpet of the Wings of the Angels. It is the true student who pines the uphill roads in search of the Deen and who meanders through the labyrinthine Pathways of Islamic Knowledge who finally qualifies for the sacred title and designation: "Warathatul Ambiyaa - the Heirs of the Ambiyaa."

It is the student who sacrifices the comforts of this material world in search of the Knowledge of the Sunnah about whom Rasulullah (Sallallahu Alayhi Wasallam) said:

"The Angels, the animals, the birds, the fishes and even the ants pray for him."

It is this student of the Shariah about whom Rasulullah (Sallallahu Alayhi Wasallam) said:

"The ink of the scholar is holier than the blood of the martyr."

And who can doubt who the real and true men of Knowledge are, when Allah Ta'ala, Himself calls the Ulama to bear testimony to the Divine Mission of Rasulullah (Sallallahu Alayhi Wasallam). The Quran declares:

"And, the unbelievers say that you (O Muhammad!) are not the Rasool. Say (to them, O Muhammad!), sufficient (to decide) between us as a Witness is Allah and those who have been given the Knowledge of the Kitaab (the Quran)."

Who have been given the Knowledge of the Quran? the Ulama or the godless scientists and biologists? The Quran states without any ambiguity that Knowledge means Knowledge of the Quran, hence the Ulama, the learned men according to Islam, are those who are grounded in the Knowledge of the Shariah. And, it is upon such Ulama (Men of Knowledge) that the sacred responsibility of safeguarding the Deen devolves. Rasulullah (Sallallahu Alayhi Wasallam) spells this out very clearly:

"Verily, the Bearer of the Quran (the Alim) is the Standard-bearer of Islam."

★ ★ ★ ★ ★ Bid'ati Qabar Pujari Jamaat ★ ★ ★ ★ ★

A group in Durban, Natal has styled itself *Ahle Sunnat Wa Jamaat of S.A.* In view of the fact that this title for this particular group is highly misleading and has been deceptively applied to the group concerned, the Mujlisul Ulama makes known the following facts for the guidance of the Muslim public:

- (1) The title, *Ahle Sunnah Wal Jamaat* refers only to such groups which follow the Sunnah of our Nabi (sallallahu alayhi wasallam). Muslims whose Law is the Shariat based on the Sunnah of Nabi-e-Kareem (sallallahu alayhi wasallam) and of his illustrious Sahaabah (radiallahu anhum) belong to the *Ahle Sunnah Wal Jamaat* which is the only sect of Islam on the guidance of the Qur'aan-e-Hakeem. Rasulullah (sallallahu alayhi wasallam) said that the Ummah will be split into 73 sects of which only one sect will be *Naaji* (attaining prior and immediate salvation). The other 72 sects will be in *Jahannum*.
- (2) In our age the *Ahle Sunnah* comprises of the followers of the four official Math-habs of Islam, viz. Hanafi, Shaafi, Maaliki and Hambali.
- (3) All persons and groups not adhering to any of the four official Math-habs listed above, are astray, plodding the path of baatil and dhalaal. All such baatil groups are beyond the pale of the *Ahle Sunnah Wal Jamaat*.
- (4) The Durban group which has styled itself, *Ahle Sunnah Wa Jamaat*, although purporting to follow the Hanafi Math-hab, is in actual fact NOT of the *Ahle Sunnah Wal Jamaat*, i.e. the *Ahle Sunnah* group stated by our Nabi (sallallahu alayhi wasallam). The Durban group because of its un-Islamic and anti-Sunnah beliefs and practices, is beyond the confines of the true *Ahle Sunnah Wal Jamaat* sect of our Nabi (sallallahu alayhi wasallam).
- (5) The name, *Ahle Sunnah Wa Jamaat* for the Durban group is gross misappropriation of the title and by no stretch of Shar'i imagination can this appellation be accorded to the Durban and the Bareilli groups of innovators and grave-worshippers. The correct title for

the Durban group is *Ahle Bid'ah* (the People of Innovation). These people are also known as *Qabar Pujaaris* (grave-worshippers) since grave-worshipping constitutes a fundamental part of their belief and practice. They are also referred to as the *Bid'atis*.

(6) *Bid'ah* or innovation-- practices which displace and abrogate the pure Sunnah practices of Rasulullah (sallallahu alayhi wasallam)--is a cardinal article in the math-hab of the *Qabar Pujaaris*. Among such haraam acts of *bid'ah* and shirk, one of the gravest is grave-worshipping.

(7) No Math-hab of the *Ahle Sunnah Wal Jamaat* advocates or condones the *bid'ah* practices of the *Qabar Pujaaris*. The *bid'ah* practices of the grave-worshippers put them conclusively outside the pale of the *Ahle Sunnah Wal Jamaat*. According to the Shariat it is not permissible to refer to a group drowned in *bid'ah* and acts of grave-worshipping, by the title of *Ahle Sunnah* since this title is the exclusive attributive name of those whose Law is the Sunnah of Rasulullah (sallallahu alayhi wasallam).

(8) The name, *Ahle Sunnah Wa Jamaat* applied to the *bid'ati qabar pujaaris* misleads unwary Muslims, especially those from the Cape who are not cognizant with the *bid'ati* sect and its tactics of deception and falsehood. In order to distinguish between followers of the *Ahle Sunnah Wal Jamaat* of our Nabi (sallallahu alayhi wasallam) and adherents of the *bid'ati* grave-worshipping sect, the Mujlisul Ulama has named the *bid'atis*, **THE BIDATI QABAR PUJAARI JAMAAT**. Muslims of the *Ahle Sunnah Wal Jamaat* should, therefore, refer to the *bid'ati* group by this name, viz. *Bid'ati Qabar Pujaari Jamaat*.

(9) This issue of 'The Majlis' carries a number of articles which throw light on the *bid'ah* practices of the *Qabar Pujaaris*. Insha'Allah, we will from time to time outline in detail the beliefs and practices of the *Bid'ati Qabar Pujaari Jamaat* so that Muslims of the *Ahle Sunnah Wal Jamaat* may guard against the poison of *bid'ah* which saps the Imaan and destroys the Sunnah of Muhammadur Rasulullah (sallallahu alayhi wasallam).

KNOWLEDGE AND FEAR

"VERILY, ONLY THE ULAMA AMONG HIS SERVANTS FEAR ALLAH."

(Qur'aan Shareef)

It is manifest from this aayat of the Qur'aan Shareef that fear of Allah is a necessary attribute of true knowledge. A learned man devoid of the fear of Allah is not an Aalim by Allah.

The effects of *Sidq* (truth), *Taqwaa* (piety and fear) and *Yaqeen* (firm faith) are always discernable on an Aalim who is truly an *Aalim bil-laah* (an Aalim of Allah). *ILM* or true Knowledge is a *Noor*, the connection of which is between the heart and Allah Ta'ala. *Ilm* is not written script. Books and words are mere shadows or pictures of *Ilm* like the picture of a mountain is not the mountain. *Ilm* is entirely something else which the vast majority of mankind fails to understand. *Ilm* leads one directly to the recognition of Allah Ta'ala. A learning which does not serve this purpose of *Ma'rifat-e-Ilaahi* (Recognition of Allah) is not *Ilm*. On the contrary such learning is *jahaalat* (ignorance) which brings about the annihilation of spiritual development.

The kingdom of the entire world seems insignificant and of no value to a man upon whom Allah Ta'ala has bestowed *Ilm*. It is because of the realization of the utter worthlessness of the world --a realization induced by *Ilm*-- that the *Aalim bil-laah* never aspires for the world, its wealth and its ranks. The true Aalim of Allah not only has learnt the Hadith, "*The world is carrion*," but he fully understands, sees and realizes this carrion. The "*aalim*" who hankers after worldly wealth and rank is not an *Aalim bil-laah*. He is merely an *Aalim bil-kitaab* (a man who has studied books). The *Noor* of *Ilm* is not in him. He thus utilizes his book-knowledge to acquire wealth and honour, but in the process he fails miserably and becomes contemptible in the eyes of men. Such men of book knowledge are the slaves of wealthy ignoramuses who strike up the tune to be danced by the worldly *aalim*. It has thus been aptly said:

"*Evil indeed is the faqeer who frequents the door of the ameer and noble indeed is the ameer who frequents the door of the faqeer.*"

(*Faqeer* here does not refer to a poor person or a beggar as we understand the term. *Faqeer* means an *Aalim bil-laah*. *Ameer* means a wealthy person.)

Rasulullah (sallallahu alayhi wasallam) said:

"Woman is *aurah* (an object of concealment). When she emerges, shaitaan casts surreptitious glances at her."

Once Hadhrat Ali (Karramallahu Wajhah) asked Hadhrat Faatimah (radiallahaa anha):

"What is best for women?"

She replied:

"They should not look at men nor should they look at women."

Hadhrat Ali (radiallahu anhu) reported this answer to Rasulullah (sallallahu alayhi wasallam) who upon praising it commented:

"Faatimah is a part of my flesh."

Rasulullah (sallallahu alayhi wasallam) said:

"My Ummat will be split into seventy three sects. All of them expecting one sect, will be in the Fire."

It was asked: "Which is that sect, O Rasulullah?"

He (sallallahu alayhi wasallam) replied:

"The sect which is on my Path and the path of my Ashab"

Commenting on this, the author of Taudheeh said:

"They (the *Ahle Sunnah wal Jamaat*) are those whose path is the path of the Rasool (sallallahu alayhi wasallam) and of his Companions. It is not the *Ahle Bid'ah* (the people of innovation)."

BEWARE!

BAHAI

KUFR

TRANSLATION

In the mission to establish the holiness of the Bahai number 19 and to propagate to Muslims that the Qur'aan Shareef is based on this number in regard to its authenticity and miraculous nature, Deedat of the propagation centre of Durban has taken his lead from one Dr. Rashad Khalifa of the United States of America. The latter has prepared a computerized concoction which he believes to be the greatest work of Qur'aanic tafseer. Deedat merely borrowed from this computer-concoction to compound the absurdities of Rashad Khalifa.

The deviated Rashad Khalifa has now ventured a concocted translation of the Qur'aan Shareef, shocking in kufr and dhalaal. Among the vile statements and conclusions of kufr tendered by the propounder of the Bahai holy number 19 are the following:

* Rasulullah (sallallahu alayhi wasallam), *Na-00thubillah!* worshipped idols "before being guided and blessed by God".

*The denial of Mi'raaj.

*Only the flesh of a pig is haraam. The fat and other parts of the pig besides the flesh are not haraam.

Rasulullah (sallallahu alayhi wasallam) committed many errors.

*Shaitaan was the Arch-Angel.

*Hadith and Sunnah are fabrications.

Rashad Khalifa has revealed his true colours in his translation of the Qur'aan Shareef, viz. *Qur'aan: The Final Scripture*. He is an enemy of the Deen and Muslims must beware of the writings of this propounder of Bahaism as well as the writings of Ahmed Deedat who is following in the footsteps of the Bahaist expounder.

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The Majlis

VOL.5 NO.4

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SYRIA: THE FIGHT FOR ISLAMIC HONOUR

DAMASCUS: Sectarian teenage girls trained as paratroops were brought out by Assad's regime onto the streets with orders to attack every Muslim lady with Islamic dress and *Hijaab*. The evil and immoral semi-prostitutes of Assad's regime carried out their devellish duties under heavy protection offered by the security forces of the government. The prostitutes of Assad attacked, assaulted and shamelessly tore the Islamic dress from Muslim women. The *shaitaani* actions of kufr and villainy were accompanied by torture and much vulgarity perpetrated by the evil women of the regime.

Ladies who sought refuge in some shops were pursued by the prostitute paratroops and the shop-windows were smashed and the owners of the shops threatened with death.

Whenever the security forces deemed it necessary, they opened fire to protect the prostitutes of Assad against the onslaught made against them by members of the public defending the honour and *hayaa* of their womenfolk.

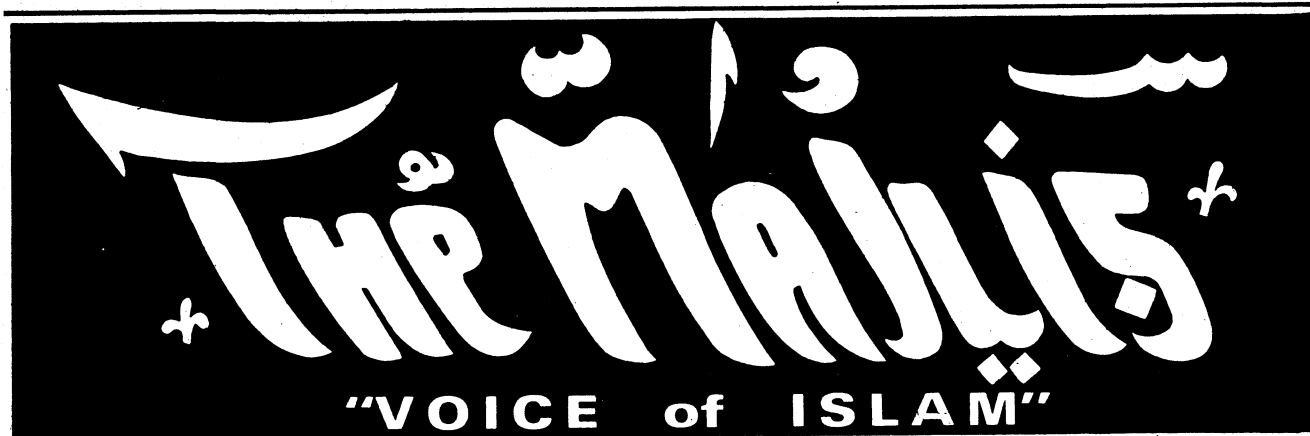
In many cases there were violent clashes in which members of the public used a variety of weapons in defense of

the honour of the Muslim ladies. As a result of the valiant defense put up by the public, about 40 prostitutes were despatched to *Jahannum*. Many security forces were also killed to share the ignominious fate of their prostitute sisters in *Jahannum*.

An important facet of the immoral operation was the attitude of many members of the security forces who turned against their comrades and defended the ladies by opening fire against army personnel. Many of the prostitute paratroops were killed by the firing of army personnel defending Muslim ladies against the sacrilege and immorality being perpetrated against them by the thugs and prostitutes of Assad. As a result a Brigadier, a Captain and some other members of the army were martyred.

The resolute and frenzied opposition and action of the Muslim populace against this brutal rape of Muslim *hayaa* was so tremendous that the regime was forced to call off its acts of rape and plunder. So thorough was the protest against the regime that the capital remained closed and a virtual ghost town for two days.

The day after the incident another four prostitute paratroop girls were found slain in the streets.



Vol 5, No. 6

Qadianis and all followers of MIRZA are **KAAFIR**

SEE PAGES 6, 7 and 9

We reproduce on this page two letters. One letter is from a source of the Mujaahideen of Syria who are waging a noble struggle against the kufr regime of Assad. The other letter has been sent to 'The Majlis' by the source of the Mujaahideen stationed in Kuwait. The second letter is from Muslim sisters incarcerated in the brutal camps of torture operated by the present regime in Syria. The letter speaks volumes for the brutality and horrendous treatment meted out to the Mujaahideen and suspected Mujaahideen by the Nusairi agents of Assad's regime.

We make fervant duaa to Allah Ta'ala to destroy the vile and brutal regime of Assad. We can say with certainty that the end of the torturers is near and the Help of Allah is also near. For the Mujaahideen of Syria the light at the end of the tunnel of brutality is clearly visible. It has been said:

الملك يبقى مع الكفر لا يبقى مع الظلم

"A power can remain with [even] kufr, but will not last with zulm [cruelty]."

False Viewpoint

A booklet, *Islamic Viewpoint on Taweez, Threads, Talismans, etc.*, written by one Captain Maulana Masududdin Ahmed of Pakistan is being presently distributed in South Africa. The views and opinions expressed on the subject of Ta'weez, etc. are overwhelmingly in conflict with the Shariah's standpoint on this issue. The writer clearly demonstrates his lack of understanding of the ahaadith of Nabi-e-Kareem (sallallahu alayhi wasaallam), hence he distorts, misinterprets and mutilates with baseless interpretations the ahaadith to peddle his own personal opinion on the question of Ta'weez and Talismans.

In presenting his private views on this Deeni matter, the writer ignores the numerous authentic ahaadith sanctioning the validity of Qur'aanic verses for ailments-- physical sicknesses-- etc., and brazenly states the falsehood that none of the Sahaabah, Taabieen, etc. condoned the practice of Ta'weez and Talismans. But, we have to say with emphasis that the claims, exposition and interpretation presented by the writer are utterly false-- baatil -- of no Shar'i import and validity.

The Shariah sanctions the practice of Ta'weez and the recital of Qur'aanic verses for various ailments. The Sahaabah and all authorities of the Shariah uphold this practice and made use of it. There exists *Ijmaa'* of the Ummah on the validity and permissibility of the practice of *Ruqyah* (ta'weez, talismans, dum, etc.).

This Deeni practice should not be considered the same as similar practices of incantations, charms, witchcraft, etc. of the kuffaar and other professional and commercial pedlars of fraudulent and baatil methods. It is acknowledged that there exist many frauds who perpetrate kufr and baatil under the guise of *Ruqyah*-- a practice allowed by the Shariah. However, their fraud does not invalidate the Deeni sanction for the correct practice of *Ruqyah* just like medical quacks and their fraudulent prescriptions will not cancel out a valid prescription of a qualified practitioner.

In view of the booklet being in conflict with the Shariah those responsible for its dissemination should forthwith cease its distribution, for in distributing the erroneous booklet they are aligning themselves with the author who has rejected a valid practice condoned by the Shariah.

crayfish

• Crayfish which is not a fish, but a member of the class *Crustacea*, to which belongs the crab (*sartaan*) as well, is a 'delicacy' enjoyed and relished by many people. According to the Hanafi Math-hab, of sea animals, only fish is halaal. All sea animals besides fish are haraam, hence crayfish like crab is haraam.

The following comments by Professor Chris Barnard on crayfish may interest those who relish on the crayfish:

"Ironically, a multi-million rand industry has been built on creatures that spend their time crawling around the offshore shallows eating junk food and whatever else comes their way-- including each other and practically everything organic which humans dump or lose in the sea.

They love sewage outlets and cluster around them like groupies at a rock concert....Fishermen will also tell you that krees are more efficient than undertakers at removing corpses."

TORTURE . BRUTALITY IN THE DETENTION CAMPS OF ASSAD

The Majlis

Dear Maulana,

The situation in Syria has forced me to write to you. I understand that your paper is a strong critic of the Asad regime.

I am forwarding herewith a translated letter which was written by a sister in one of the numerous prisons in Syria. It will be highly appreciated if you will publish it in your

paper.

I have much other material on the revolution in Syria but am unable to forward it to you right now. I trust that I can rely on your support in our fight against the enemies of our religion. May Allah protect us. Thanking you.

(For certain reasons we are omitting the name of the Mujaahideen source. --Editor)

The following is the letter written by a Muslim sister languishing in a torture-camp of the Nusairi regime. The translated version of the letter is being reproduced hereunder verbatim. No attempt has been made by us to polish and interpolate the letter as has been done by an anonymous paper styled, *Voice of the Women*. The story of brutality and torture is depicted vividly and starkly by the verbatim translation. The letter reads:

"Howmany letters did we write? We wrote many letters with tears, panic-stricken voices and blood. We sent many letters through the midnight air hoping that it might be heard. We could only send our panic-stricken voices through the dark--but who listens to us in the darkness? Our calls never pass beyond these black walls.

The Almighty Allah has blessed us by allowing this letter to reach you and hope to shed some light on the plight of those living and dying in these prisons. We have become experiments for all sorts of tortures. Day and night drunk policemen treat us like wolves. We pray that they should torture our bodies instead of raping our sisters. As Maryam has said, we prefer death to this. We appeal to the entire world to get us out of this unbelievable world. We call with every part of our tortured bodies-- every single part cries and calls-- every drop of blood and every heartbeat calls.

A Muslim woman called so many times for response from Muslims, but oh! No Mutasem-- no Muslim helps an ashamed woman. O Allah! On whom shall we call? We are still in this world and the blood of the criminals drops in our abdomens. What shall we do?

O Aliah! Nobody responds to our call, so help us please! We do not want you to rescue us, rather desstroy the prison including us. We cannot stand as we have no light. Please enlighten our day.

O world! Get up from your slumber as we can never sleep. O world! Get up, for one day you shall stand before Allah and He will ask you: What did you do? What did you do for those who lost their honour and those who lost their consciousness due to electrical shocks?

What did you do for the sister whose naked body hanged upside down from the ceiling and who was under the constant lash of the steel-tipped whip? She was whipped until she lost all consciousness of her Allah. She never rose again. What did you do for her? She shed her blood for Islam. What did you do for her? Her husband shed his blood on her clothes. What did you do for her? What did you do for her who was rushed to hospital after being raped by 26 villians?

What did you do? What did you do? What are the answers? Where are the answers? Yet you still sleep! O World! Get up from your sleep and get us out of this fire. Our veins have dried and there is no sunshine in this valley-- in this deep sea of darkness.

WE CALL -- WE BEG FOR SOME LIGHT -- JUST SOME LIGHT.

YOUR IMPRISONED SISTERS UNDER THE TORTURE OF THE ENEMY OF ISLAM.

The Qur'aan-e-Kareem answers this heart-rending call in these words:

"HEAR! THE HELP OF ALLAH IS NEAR."

AL-MUJAHIDEEN In SYRIA Slate Iran

The Command of the Jihaad in Syria has issued the following statement in regard to Iran:

"The recent statement made by the Iranian Foreign Minister attacking the Muslim Brotherhood in Syria was not the first of its kind. Many other statements which speak ill of Islam and Muslims whether in Syria, Iran or the whole world have been made. The Iranian Foreign Minister's statement, however, was a provocation which cannot be ignored. The truth which the Iranian rulers try to suppress with their thinly disguised allegations must be stated very clearly, hence the following statement:

The Muslim Brotherhood has never had any relations with the rulers of Iran. To speak, therefore, of a deterioration in relations is to make a grave error. There has been only a series of excesses and acts of injustice by successive rulers of Iran directed against the Muslim Brotherhood. In return the Muslim Brotherhood has shown a great deal of restraint and made a sincere attempt to avoid entering into a slanging match. Regrettably, this patient attitude has been misinterpreted.

When the rulers in Tehran adopted an attitude of narrow fanaticism to their own school of thought (Shiasm), to 'the exclusion of all others, we tried' to seek excuses for them justify such an attitude.

When they co-operated with Assad's regime in Syria we wondered but were assured by their sympathisers that that was merely a tactical manoeuvre.

When they consolidated their alliance with Assad and exchanged military and security dealings with his regime, we were told that their circumstances, internally and externally, forced them to seek such co-operation.

That was not the end. On the contrary, they began to co-operate with the enemies of Islam in the Arab region and in international circles. Their conferences include all sorts of organizations from all countries, including Vietnam, Korea, Aden and Ethiopia. The only organizations which are excluded from their conferences are the Islamic ones. They have crowned their transgression with the purchasing of arms from the Zionist enemy.

In the meantime, news agencies, especially the Syrian one, have been carrying statements by a number of Iranian officials to the disparagement of our Islamic revolution and the Muslim Brotherhood in particular. They occasionally sought to dissociate themselves from such statements by accusing news agencies of distortion and exaggeration. Then their Foreign Minister made his recent statement which was reported by news agencies and was not followed by any denial or amendment by him. This is tantamount to open hostility and a declaration of war against the Muslim Brotherhood and all their well-wishers who hoped that they would rid themselves of narrow sectarianism. It also means that they are plotting to create division in the Muslim world as they have done in Iran.

They have chosen a policy of narrow nationalism which allies itself with Zionism against Islam. They have adopted a line of partisan sectarianism to the exclusion of the higher and more important Islamic interests. They have sought to engage in side conflicts and ferocious battles with their Arab and Muslim neighbours, implementing thereby, the schemes of the enemy in the Arab and Muslim land.

The citizens of Syria and the Palestinians who enthusiastically supported the Iranian rulers did not hesitate to desert them with all their religious and political figures in condemnation of their shameful support of the sectarian, treacherous regime in Syria against the Jihaad of the Syrian people. Arabs and Muslims no longer ask for evidence to prove that the despots of Iran buy arms from the Zionist state, for this has become absolutely clear. Their alliance with the traitor Assad is enough evidence of that.

As for the history of the Muslim Brotherhood in Syria and in the whole world, their struggle in Palestine, their resistance to all dictators and to the imperialist forces and their continuous attempts to eliminate all causes of division-- all these are ignored by the rulers of Tehran, for they are the ones who have caused a great deal of damage to the cause of Islam which is no longer their interest after having identified themselves with its enemies and classified in their own constitutions their own citizens and brethren-- who are their natural allies-- as enemies.

QUESTIONS and ANSWERS

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Q What is the Islamic ruling in dealing in shares on the stock exchange?

A. Dealing in "shares" on the stock exchange is not permissible. Shares in the existing public company set-up are not *jaa-iz* (permissible) transactions. Shares are primarily dealings of *riba*.

Q. If a person not in *Salaat* rectifies the errors of the *Imaam*, is the *Salaat* valid? In our place the following arrangement has been made to assist the *Imaam* during the *Taraaweeh Salaat*:

A man sits near to the *Imaam* with a *Qur'aan* opened up. He then listens to the *Qiraat* of the *Imaam* and rectifies the *Imaam's* errors in this way.

A. This method of rectifying the *Imaam* is not permissible and the *Salaat* performed in this way is not valid. Rectifying the *Imaam* externally (i.e. by one who is not performing *Salaat* with the *Imaam*) invalidates the *Salaat* if the *Imaam* accepts the rectification.

Q. Our organization contemplates to build a *Musjid*, *Madressa* and hall with money taken as a loan from a building society. Ofcourse, interest will have to be paid. Is this allowed in the *Shariah*?

A. Allah Ta'ala is Pure and Rasulallah (sallallahu alayhi wasallam) said that He accepts only what is pure and wholesome. Haraam and filth are not acceptable to Allah Ta'ala. It is indeed an effort to the *Shariah* to contemplate the utilization of the highest category of haraam money, viz. *riba*, in such a holy construction as a *Musjid* and *Madressa*. Your organization is indeed descending to the lowest level of spiritual degeneration and grovelling in a pit of evil in its attempt to use money obtained in a vile manner for the construction of the House of Allah. If such haraam money is used to build a *Musjid*, *Salaat* in it will not be permissible. It is *Waajib* upon all the members of the organization to apply their utmost pressure to secure the cancellation of the evil attempt. May Allah Ta'ala save us all from indulgence in such blatant haraam and rebellion.

Q. A man has been having forcible incestuous relations with his grown-up daughter. The girl is almost a nervous wreck. If she refuses to submit to his dastardly advances he threatens to kill her. She does not know what to do. Please give some advice.

A. It is imperative that the girl separates herself from the villain who happens to be her father. It is not permissible for her to live with him. She must repose trust in Allah and break away from this man whose bestiality has degenerated to the worst of levels. She must at all cost take up residence elsewhere and if her father hounds her and attempts to secure her return, she should then threaten him with exposure. And, if necessary, she should expose the matter to close family members who can take action against him for restraining her from taking custody of the girl. Regarding his threats to kill her--- let her have no fear. The threats are of a coward. One's maut is in the power of only Allah Ta'ala. Death does not come a second before its stipulated time. Let her then not fear his empty threats. The only way in which to restrain the man and to put a stop to his horrendous acts is to be firm and resolute. In safeguarding her honour, modesty and chastity she is bound by the *Shariah* to firmly rebuff this man. May Allah Ta'ala protect her from the villainy of her father and may Allah Ta'ala grant her father *hidaayah*, Ameen.

Q. A woman's husband died recently and she is still in her *iddat*. It is known that during the *iddat* the woman is not allowed to go out of the home. However, it was observed that after *Maghrib* time the woman sometime comes out of the house and gives some foodstuff to a friend of her demised husband. The friend happens to pass by the house daily after coming out from the mosque. I am not suggesting that anything improper has transpired between the woman and her dead husband's friend. What I would like to know is that is it permissible for her to come out of her home and walk about thirty feet to the outside of her front entrance and hand the parcel to the man?

A. The action of the woman described above is not at all permissible. Her action is unlawful and very severe in that it contains aggravating factors. (1) She is yet in her *iddat* and it is not lawful for her to emerge unnecessarily from her home evening while not in *iddat*. In *iddat*, the prohibition is of a greater degree. (2) If the man is a *naa-mahram* (as we gather from your question) then it was extremely wrong for her, especially while in her *iddat*, to speak to the man or hand him a parcel. (3) Her association with the man (even if this association is limited to handing him food parcels) is aggravated by her emergence from her house in her *iddat* at such a delicate time, viz., after *Maghrib*. In regard to *Maghrib* time, Rasulallah (sallallahu alayhi wasallam) said that it is a time when the *shayaateen* emerge in abundance, hence even one's animals (goats, sheep, fowls, etc.) should be kept within their folds at this time. The woman has committed a serious breach of the *Shariah*.

Q. Why do you people of *Deoband* say that *Salaami* for the Holy Prophet is not permissible? What is wrong in respecting the Holy Prophet?

A. How do you know that you are respecting Rasulallah (sallallahu alayhi wasallam) with the *salaami* custom in vogue? What are your proofs in support of your claim that in this practice you are respecting and honouring Rasul-

lah (sallallahu alayhi wasallam)? Furthermore, do you claim to have greater love for Nabi-e-Kareem (sallallahu alayhi wasallam) than the noble *Sahaabah*? Do you possess the ability of honouring Rasulallah (sallallahu alayhi wasallam) more than what the *Sahaabah* did? If your love for Rasulallah (sallallahu alayhi wasallam) is so profound as you are deceiving yourself into believing, then why do you not adopt the methods of respect and honour of the noble *Sahaabah* (radiallahu anhum)? Do you perhaps know the way in which the illustrious *Sahaabah* offered their love, their respect, and honour to Rasulallah (sallallahu alayhi wasallam)? If you are aware of their noble and beloved *Tareeqah* of respect and love then why do you not follow it? Why have you strayed from that golden Path of love and sacrifice? If you are not aware of that noble *Tareeqah* of the *Sahaabah's* love, then do make it your duty to educate yourself in this matter. If you are at all interested to learn how to love, respect and honour Rasulallah (sallallahu alayhi wasallam), then read "The Majlis" with a clear mind and ask Allah Ta'ala to guide you. Insha'Allah, you will then not fail to discern the truth which the grave-worshippers are so desperately attempting to cloud and extinguish.

Q. A man had pre-marital sex with a woman who became pregnant. After the baby was born another man proposed to marry her. However, the first man whose child she bears says that the woman belongs to him and that he has the first right to marry her because she had indulged in sex with him and is the mother of his baby. According to Islam who is entitled to marry her--the first man or the second one?

A. Haraam sex does not grant a man any preferential rights. The first man has absolutely no rights over the woman because of his illicit sex with her nor does the illegitimate baby grant the man any right over the woman. The baby is the responsibility of the mother. According to the *Shariah* the parentage of an illegitimate child is related to the mother and not the man who fathered the child. The mother is solely responsible for the maintenance of the baby who will bear the surname of its mother. The second man too has no rights over the woman by virtue of the submission of his marriage proposal. The woman has her own rights. She is free to marry any man she chooses. No one can compel her or make demands upon her.

Q. Is *Melrose Cheese* *halaal* or *haraam*?

A. To the best of our knowledge only "ELITE" brand cheese manufactured at Lichtenburg in Transvaal is *halaal*.

Q. Are *Bonus Bonds* permissible?

A. *Bonus Bonds* are *riba* transactions, hence are not lawful in Islam.

Q. What is the *Shar'ee* procedure to be adopted if a partnership in which there are four partners who are equal partners in profits and losses is to be dissolved?

A. Upon dissolution of a partnership, stock of the whole business will be taken. The nett assets remaining will be distributed in equal proportion among the four equal shareholders. If there is a loss, the four equal partners will bear it in equal proportion.

Q. What procedure is to be adopted should any one of the partners wish to withdraw from a partnership consisting of four partners sharing equally in profits and losses?

A. If one of the four partners cancels his partnership, the following steps should be taken:

(a) The exact state of the business has to be ascertained by a physical stock-taking of all the assets.

(b) Since the partnership consists of four equal partners, the withdrawing partner will be paid out one quarter of the nett assets of the partnership enterprise. It is not necessary to pay him out in cash. His *Shar'i* right is one quarter and this quarter operates in all the assets, i.e. in the cash, stock, fixtures, equipment, etc. For example, if the business has four cash registers, one belongs to him. He could therefore be paid out in cash, equipment, stock, book-debts, etc. Payment could also be in a way agreed on by all the partners.

Q. Who should value the assets of a partnership which include businesses and fixed properties upon dissolution thereof or upon the withdrawal of any one of the four equal partners?

A. This could be done by any one agreed upon by the partners. They could value the assets themselves if there exists mutual trust among them. However, if this is not possible, they can appoint any neutral and mutually acceptable appraiser.

Q. What is the position in a partnership in which there are four partners each of whom is an equal partner in profit and losses when one of the partners dies? In particular please advise whether the surviving partners can continue with the partnership and, if they can, what are the terms and conditions?

A. In case of the death of one partner, the partnership in relation to the deceased terminates. The partnership in respect of the surviving partners remains in force, the death of one partner being of no effect in so far as the validity of the partnership of the other three are concerned. When a partner dies, the process mentioned above in the case of dissolution, will be adopted. The share of the

deceased partner will be paid out to the Islamic heirs of the deceased.

Q. In the event where of the four equal partners one of the partners dies, do the heirs of the deceased partner remain in this partnership, or does the partnership dissolve and a new partnership agreement be made with the other partners?

A. The partnership of the deceased is not transferable to his heirs. The heirs cannot claim the continuation of the partnership in respect of the deceased, they acting as his representatives. Death dissolves the partnership in respect to the deceased. The right of the heirs extends to only the share of the deceased's assets in the partnership.

Q. Is any individual partner in a partnership consisting of four partners each of whom is an equal partner entitled to unilaterally take over or sell his share or part thereof or the share or part of a share of any of the partners without the partnership having been dissolved and without the sale being agreed upon by any one of the other partners?

A. Every partner has his share in all the assets of the partnership. A partner is entitled to sell his share of the moveable assets to anyone without the consent of the other partners. However, a partner selling his share of the moveable assets of the business will be tantamount to the dissolution of the partnership contract in so far as he is concerned. Before he can sell any of the moveable assets he will first have to ascertain his exact share of such assets. If he is a 25% shareholder in the business, he cannot sell his 25% partnership right, for the sale of rights is not lawful in Islam. He has to sell tangible assets, hence he will firstly have to establish what are his actual physical assets of the total moveable assets of the business. This can be done only with the agreement of all the partners. He cannot unilaterally, without the knowledge of the other partners, merely grab certain assets and claim that such assets represent his share. Dissolution of the partnership will have to be effected in an orderly fashion in regard to the partner who wishes to sell his share. The method of dissolution has already been described earlier. Once his physical assets have been decided upon and these have been pointed out, he will be entitled to take possession thereof and sell same to anyone of his choice. An existing partner cannot sell his right of partnership or transfer his share to anyone thereby imposing the new-comer as a partner in the partnership with the other partners. If A, B, C, and D are partners, the *Shirkat* (Partnership) contract is among themselves. If D sells his share (i.e. his share of the tangible assets of the partnership) to E, then E does not become an automatic partner in the business. The share-certificate of companies in the *kuffaar* economic set-up has no validity in the *Shariah*. Such share-certificates are of no substance and one cannot become a partner in a business by purchasing such worthless scraps of paper which grant the purchaser certain rights under *kuffaar* law. After D has sold his assets, he falls away while A, B' and C remain as partners. If D wishes to enter the partnership, a fresh contract will have to be entered into.

One partner has absolutely no Islamic right of unilaterally assuming ownership of another partner's share nor has he the right to sell any share of another partner's assets without the consent of that partner.

Regarding the immoveable assets, i.e. fixed property, a partner cannot sell his share in the property to a stranger without the consent of the other partners. If he wishes to sell his share, he will first have to offer it to the other partners in the property. If the others agree to pay him the price he requests, he cannot sell to a stranger. His partners have a preemptive right of purchasing from him. However, if the partners refuse or are not in position to purchase his share at his price, then he will be entitled to sell his share to a stranger.

Q. A partnership wherein there are four equal partners, what is the ruling regarding a sleeping partner? Can any one of the working partners claim more of the profits than the sleeping partner when there is no such clause in the partnership contract?

A. The question of equal partners, i.e. equal in both profit and loss (equal in all respects in so far as the business is concerned) applies only when the capital investment of the partners is equal. This type of equal partnership in the *Shariah* is known as *Mufaawadhah*. If at the time of making the contract it be stipulated or agreed upon that a partner will be a sleeping partner, the contract becomes *baatil* (null and void). Sleeping partners are allowed in the *Shariah* in another type of partnership which is known as *Shirkat-e-Inaan*. In this type of partnership the capital investment of the partners differs. However, in spite of such difference in capital investment an equal distribution of the profits--not the losses--can be agreed upon. In regard to this type of partnership (i.e. *Inaan*), the following rules will apply:

(a) If the investment of the partners differs, some investing more than the others, it is permissible to agree upon equal distribution of profits providing that all partners are active or working partners.

QUESTIONS and ANSWERS

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(b) Where the investment of the partners differs, losses will be distributed among the partners in proportion to their respective shares in the capital investments. For example, if A invested 20%, he will have to bear 20% of the loss even it was agreed to give him 25% of the profits.

(c) If the investment of the partners is equal, but the one partner is a sleeping partner, the partnership will be valid on the following basis:

(i) The greater part of the profit (a minimum of 51%) will be the share of the working partner. It is not permissible to stipulate equal or more profit for the sleeping partner.

(ii) The loss, if any, will be borne in proportion to the capital investment-- 50% each in this example since both invested an equal amount.

Q. Can a Muslim receiving pension go for Hajj?

A. It is permissible for a pensioner to go for Hajj whether the money with which the journey is undertaken is savings from the pension or a gift from someone or derived from any other halaal source.

Q. I have noticed that many people go for Hajj by the 'Fly Now, Pay Later' scheme. Is it permissible to go for Hajj in this way? A. We are told that the 'Fly Now, Pay Later' system entails interest in that a loan has to be taken from a bank. The bank pays out the airways and charges interest on the loan thus given. If this is so, then the scheme is haraam and it will be unlawful to go for Hajj in this way--not only Hajj, but anywhere. However, if the scheme consists of merely buying a ticket on credit from the airlines, one remaining a debtor to the airlines and not to a bank for a loan advanced, then it will be permissible although we must add that it is not advisable to unnecessarily incur debt. Incurring debt to go for Hajj is unnecessary.

Q. Are Muslim women allowed to perform Namaaz with the hair combed into a bun?

A. It is not permissible for women to comb their hair into a bun. This applies whether she is in Namaaz or out of Namaaz. Although the Namaaz performed in this way will be valid, the thawaab (reward) will be reduced or destroyed while at the same time one will be guilty of a sin.

Q. I live in a City where there are many Muslim doctors. My family and I prefer to go to a Hindu doctor only. I have been told by a religious person that I will be punished by Allah if I go to a non-Muslim doctor. Is this true?

A. One should not establish an association with non-Muslims unnecessarily, be they of any walk of life and of any profession. If one's needs are attainable from Muslims, one should not turn towards non-Muslims. If you have no valid reason for preferring the non-Muslim doctor then obviously you are in error. However, if there exists real cause for your preference then securing the services of non-Muslims will be in order. Abstaining from association with the kuffaar will apply to a greater degree to Muslim females.

Q. How does Islam describe a Muslim who portrays Nabi Isaa [alayhis salaam] in picture form and then sells such images of Nabi Isaa to the Christian public?

A. The perpetrator of such practical acts of shirk is undoubtedly a faasiq. He is guilty of a heinous sin. Rasulullah (sallallahu alayhi wasallam) likened such criminals to those who have murdered Ambiyaa (alayhimus salaam) and who murder their parents.

Q. What does the Shariah say about a Muslim who possesses and sells images of the mother of Nabi Isaa [alayhis salaam]. The images, moreover, portray her with exposed breasts.

A. The one who commits such a heinous, vile and immoral crime is a faasiq of the highest order. His sin is aggravated by his utter disrespect and insult shown in relation to Hazrat Maryam (alayhas salaam) about whom Allah Ta'ala says in the Qur'aan: "CHOSEN ABOVE THE WOMEN OF THE WORLD".

Q. What is the ruling regarding income derived by selling images of Nabi Isaa and Maryam [alayhimas salaam] as well as pictures of Jesus hanging on the cross?

A. Such income is haraam. It is not lawful for the possessor (i.e. the one who sold such images) to use such haraam money. Such haraam money has to be given in charity without a niyyat of thawaab.

Q. Is a person who indulges in this type of business [selling images of Nabi Isaa--alayhis salaam] worthy of trusteeship of a Mosque and other Islamic organizations?

A. Such a sinner and faasiq can never qualify for trusteeship of a Masjid or an Islamic organization. Besides perpetrating a major sin, he does so flagrantly and the sin he commits is one of the worst. The Muslim community who appoints such a naked faasiq as a Masjid trustee is guilty of a major sin as well. Piety is a requirement for trusteeship. But, the crime of this faasiq is worse than drinking, gambling and fornicating. Muslims have enslaved themselves to western thinking to such a degree that whatever the non-Muslim regards as respectable, that becomes accepted. Hence, we find communities appointing evil and immoral fussaag as trustees of Mosques because in the eyes of the kuffaar selling idols is not evil. Organizat-

ions stipulate in their constitutions, for example, that one who is insolvent cannot be a Masjid trustee, or one who has been found guilty by a kaafir court (for something which may be perfectly permissible in the Shariah) does not qualify for trusteeship, etc. The norms of the kuffaar are accepted. No consideration is accorded to what Islam stipulates. You therefore, find that owners of brothels, cinemas and fussaag of the type you mention have been appointed as trustees of Mosques. These are signs of the impending Hour of Qiyaamah. Rasulullah (sallallahu alayhi wasallam) said in regard to such unqualified appointments:

"When amaanat [trust] is plundered, then await the Hour."

Upon being asked as to the meaning of *plundering of amaanat*, Nabi-e-Kareem (sallallahu alayhi wasallam) replied: "When trust is assigned to those who do not qualify (or who are unfit)."

Q. Is it fardh or sunnat to have Khatmul Qur'aan on the big nights of Ashuraa, Baraat, Qadr and Mi'raaj? Such khatams are usually held on the big nights at Mosques.

A. It is neither Fardh nor Sunnat to arrange Khatmul Qur'aan ceremonies on these nights. Such customs were never organized or taught by Rasulullah (sallallahu alayhi wasallam) nor by the Sahaabah (radiallahu anhum). Whoever wishes to recite the Qur'aan Shareef on these nights or any other night or day is free to do so. But, it is wrong to create a new custom or practice of 'ibaadat' into the Deen. In doing so, the innovators are superseding the Shariah. In introducing acts of worship into the Deen, the Sunnah of Rasulullah (sallallahu alayhi wasallam) is being negated. Since such customs have been accorded the status of compulsion or near compulsion, one should not join in. Rather recite the Qur'aan or render any other form of Ibaadat in the privacy of one's home on these occasions. Attend the Masjid only for Salaat, thereafter withdraw to your home and pass the night or a portion of the night in true, effective and pure Ibaadat without any fanfare. Pass the occasions of holiness in solitude remembering Allah Ta'ala with both tongue and heart and abstain from the raucous exhibitions of people who have no truck with the true Sunnah of Rasulullah (sallallahu alayhi wasallam).

Q. Is it permissible to have a ceremony for the inauguration of books inside a Masjid? Recently in a Masjid the following ceremony was conducted:

A lecture was given by the author of the books. The books were neatly parcelled and tied with ribbon. The ribbons were then cut and the wrapping removed. Finally a dua was recited.

A. A Masjid is a place for Ibaadat, especially the Ibaadat of the Fardh Salaat. This purpose of the Masjid has been emphasised to the extent that it was the general practice of Rasulullah (sallallahu alayhi wasallam) and the Sahaabah to perform even their Sunnat and Nafil Salaat at home. Besides the book-ceremony being comical and downright silly and stupid, it was a pollution of the sanctity of the House of Allah to use the Masjid for personal aggrandizement--for pride and ostentation (takabbur and riyaa). It is not permissible for Muslims to adopt such practices of the kuffaar, leave alone perpetrating the un-Islamic practice right inside the Masjid.

Q. Can a Muslim woman take any form of conception-control?

A. Birth-control measures are generally contrary to the spirit and teaching of Islam. However, adoption of such measures is not altogether forbidden. Such measures resorted to temporarily and individually will be permissible although Makrooh if there is no valid reason. But, the family planning programmes as are in vogue nowadays on a mass and organized scale are not permissible.

Q. Is it bid'ah for the Imaam to recite dhikr, etc. aloud after 'assalamu alaykum...'? Also his istighfaar and salawaat, dua, etc.?

A. The correct method i.e. the Sunnah way, of reciting the dua after Fardh Salaat is to do so silently, not loudly as is the practice in many places. To recite the dua audibly occasionally is permissible, but since this practice (reciting loudly) has become a permanent and an established custom. This loud recitation has thus displaced the original Sunnah practice. Most people are unaware of the true and correct practice, hence they are either bewildered by the silent dua or they take offence. The emphasis on a practice which is not Sunnah indicates clearly that the loud dua custom has become a bid'ah.

Q. Is there anything un-Islamic in writing in red pen?

A. There is nothing Islamically wrong in writing with a red pen.

Q. Is it against the Sunnah to eat separately and to sleep on beds?

A. This is not contrary to the Sunnah.

Q. Is it permissible for a Muslim to attend the funeral of a hindu or a non-Muslim? A Muslim married a Hindu woman who had accepted Islam. Her brother dies. Is she supposed to attend the funeral according to Islam? Is it allowed for her husband, children and relatives of the husband to attend the funeral? Or are they allowed to sympathise with this new Muslim lady? The husband of this new Muslim lady insists that his relatives come and sympathise with his wife.

A. It is not permissible for a Muslim to attend the funeral service of a non-Muslim even if the non-Muslim happens to be the closest relative. Nor is it permissible for a Muslim to follow or ride behind the funeral procession of a non-Muslim. Thus, it is not lawful for the new Muslim lady referred to in the question to attend the funeral service of her brother. It is permissible for her to go and sympathise with her family at such a time when there is privacy at their home and the house is not crowded with non-mahaareem. There is absolutely no need to sympathise with the new Muslim lady because of the death of her non-Muslim brother. If she was so very much attached to him and his death was such a severe blow to her, then her husband is sufficient for such purpose of sympathising. There is no need for the relatives of the husband to be brought into the picture. The husband of the new Muslim lady is wrong in insisting that his relatives must come and sympathise with his wife because of the death of a non-Muslim brother.

Q. Many Muslims sell their businesses on the following terms:

[1] A fixed purchase price for the stock, fixtures, equipment, etc.

[2] A percentage of the monthly profit to be given to the seller. This royalty is mutually agreed upon and has to be paid to the seller even after the purchase price has been paid.

Is this transaction permissible in the Shariah?

A. The condition of royalty (the percentage monthly profit) is haraam, it being ribaa. It is haraam for the parties even if both have agreed to it. Their agreement cannot override the clear command of the Shariah. It is thus haraam for the seller to accept the monthly ribaa and it is haraam for the purchaser to pay the seller this monthly ribaa. If the seller accepts the haraam ribaa, he should know that besides the major sin of accepting the haraam ribaa, it is not permissible for him to use the money in any way whatever. He will not be able to use it for his own needs nor will it be lawful for him to contribute it to charity since the owner is present. It is obligatory that all such haraam money accepted be returned to its owner.

Q. I am sending you a booklet named, 'Is it wise to follow blind formalism'. This pamphlet as you will observe is the work of a certain Hajee Saheb from Pretoria. Are the views expressed therein in conformity with the Shariat?

A. Much of what has been said in the pamphlet is plain drivel. The degree of puerility and nonsense contained in the pamphlet does not warrant responsible comment. It is sufficient to say that the writer has no understanding or knowledge of the Shariat. Being a hajee does not qualify nor entitle one to speak on the Deen, moreover when what is spoken is absolute nonsense. The poor haaji saheb does not know whether he is coming or going for he dwells in deception and jahl-e-murakkab (compound ignorance-ignorance, the darkness of which is multiplied manifold).

Q. I have read a booklet on family planning, abortion, etc. The name of the booklet is: The Islamic Viewpoint on Family Planning and Abortion, published by the M.S.A. of S.A. and the Islamic Medical Association. According to the booklet abortion even after 120 when the rooh has already entered the baby, is permissible if the "pregnancy constitutes a serious threat to the life off the mother". A learned man told me that this is wrong. What is the ruling of Islam on such an abortion?

A. According to the Shariah, Rooh enters the foetus at or 120 days. Once the rooh has entered, the foetus is no longer an inanimate object. It is a real and live human being. As such, the life of the baby is just as sacred as that of its mother. The mother has no Shar'i preference over her baby (yet in her womb) in relation to life and death. Allah Ta'ala Alone decides who has to live and who has to die. Life and death are not left by the Shariah to the whimsical opinions of the medical fraternity or to anyone else. A pregnancy constituting a serious threat to the mother is no Shar'i justification for the commission of murder. The mother will die at her appointed time with the command of Allah Ta'ala. The Qur'aan Shareef declares:

"And no one will die, but with the command of Allah at the appointed time."

And so will the baby. It is not lawful upon the doctors to overstep the Shar'i scope of their professions and intrude into the domain of Israa-eel (alayhis salaam), the Angel of Death. If doctors do venture into this forbidden domain and perpetrate murder in a way considered respectable by kuffaar norms, then Allah Ta'ala will break their necks. It is haraam to resort to abortion for any reason whatsoever once the rooh has entered the foetus. If what you say in regard to the booklet is correct, then we must say that the authors have committed a grave error.

SALAM

Rasulullah (sallallahu alayhi wasallam) said that you will not enter Jannat unless you are a Mu'min, and you will not be a true Mu'min unless you love one another. Rasulullah (sallallahu alayhi wasallam) then asked:

"Should I not show you a practice which will create love among you? Listen! Make salaam among yourselves in abundance."

EDITORIAL

Why Cant They

BOMB TEL AVIV?

Why can't they bomb Tel Aviv? The answer is simply: Because they can't. They lack the power....they are too weak to bomb Tel Aviv. The next question is: Why do they lack the power? Why are they too weak? The answer requires elaboration.

It has been said that an army marches on its stomach. This holds true for the armies of the kuffaar. But it has no reality in respect to the armies of Islam, for the armies of Islam consist of or are supposed to consist of men who 'drop out of the sky'. The army of Islam does not march on its stomach-- it marches on its Imaan.

There is a vast difference between the army of kufr and the army of Islam. The army of the kuffaar is totally a physical, material and technological force and organization of kufr which is the antithesis and negation of Imaan and everything that Imaan stands for. Imaan pertains to the *roohaani* realm hence it takes into its stride all the noble, lofty and celestial qualities and faculties. This being the wide gap between the two armies, the army of the kuffaar stands in dire need of material, physical and technological perfection. Superiority in arms, technology and physical ability to manipulate sophisticated weaponry are the fundamental requirements necessary for the success of the army of the kuffaar. Knowing this, the kuffaar faithfully pursue this direction. They strive in the acquisition of what they regard as vital for their success and they logically attain their desired goal of success. Such success accrues to them NOT because of their mastery of technology and superiority in the field of sophisticated weaponry, but because those in the opposite camp, viz. the Muslims, have in all neglected and nullified those requirements which are fundamental and vital for the success and victory of the people of Imaan. Like the kuffaar have their factors of success so too have the people of Imaan. But there is nothing common between the two sets of factors. The success of Israel against the Arabs and the success of the kuffaar against Muslims in general are not due to the superiority of kuffaar skill and expertise in technology, but are due to the fact that the Muslim Ummah has become bereft of those ingredients vital for their success, progress and victory.

The requirements for Muslim success are infinitely superior to those necessary for the success of the kuffaar. Because of this qualitative superiority, the material and technological superiority of the kuffaar is no match against a Muslim army fortified with the weapons and requirements necessary for Muslim success. The reason for Israel's success and impudence in regarding and treating all Arab states as her backyard in which she can enter, trample, pillage and plunder at random and desire is not because she is a great and powerful nation nor because of American backing, but her success is the effect of the *Roohaani* and *Imaani* weakness of the Arabs and Muslims in general. As pointed out earlier, Imaani power is vital for the success of the Muslim army, but such power is lacking in the Arab camp. This power is a vital requirement for the victory of the Muslim army in the battlefield. Without *Roohaani* power, the Muslim army cannot march-- it cannot achieve victory-- no matter how superior it may be in numbers, arms and sophisticated weaponry. It is doomed to failure and disgrace in the absence of *Roohaani* power, for this is the rock on which it stands-- the citadel from which it issues and takes refuge. Technology and sophisticated weaponry are utterly of no avail to Muslims bereft of *Roohaani* power. The possession of only Imaan in its naked form is not sufficient for the attainment of immediate and quick success. Yes, mere Imaan is conditional for final *Najaat* (salvation) in the Akhirah. But, for first and immediate success in this world and the hereafter, it is vital-- absolutely necessary-- that the seed of Imaan be developed and strengthened so that the Muslim army becomes imbued with *Roohaani* power against which physical power pales into nothingness.

Before the Sahaabah achieved the domination of the world, they were also men with a fighting spirit like the Arabs are even to this day-- men with a fighting spirit-- men with an irresistible spirit and courage which perpetually enable them to bob up irrespective of the odds against them and regardless of their weakness. They are a nation which was never subjugated and never dominated nor will such subjugation and domination ever be achieved over this nation whom Allah Azza Wa Jal chose as the repository of His final Deen of Islam. The fighting spirit is an inherent quality of the Arab people and it can never be extinguished by the might of kufr --by America and Russia. Their repeated defeat at the hands of the kuffaar--Israel, America, etc., have not dampened that inherent fighting spirit. The numerous Israeli successes against them have not made them to loose hope and they everlastingly appear and rise to wreck any peace which Israel endeavours to carve for itself. Inspite of the long struggle spread over three decades and inspite of their internecine warfare, intrigue and conspiracies, Israel with total aid from its western kuffaar has known no peace and will not know what peace really is. Vanquish and subdue the Arabs? This is out of the question no matter how many successes Israel achieves against the Arabs and no matter how many reverses the Arabs suffer and no matter to what degree of degeneration the Arabs may lapse into.

But, inspite of what has been said and observed, we must not loose sight of the fact that the Arabs have miserably failed to hold aloft that Standard of Imaan which Rasulullah (sallallahu alayhi wasallam) handed to them. They have failed in the simple task of uprooting the puny thorn known as Israel inspite of their numerical, financial, material and military superiority. There is no dearth of material powers in their ranks. In this field they undoubtedly have in abundance. In addition, a wall of Arab states surrounds the tiny spectacle of Israel with its three million population in contrast to more than 100 million Arabs. But, Israel with relative ease, impudence and at random can bomb Damascus, Cairo, Baghdad and Beirut. But the Arabs can't bomb Tel Aviv. Leave alone bombing Tel Aviv, they can't venture near to it. Yes, why can't they bomb Tel Aviv? No matter what they argue and no matter how their military commanders and modern leaders may attempt to explain this awkward and disgraceful phenomenon, it will never convince those who possess the understanding of Imaan and who know the meaning and power of Imaan.

The reason for the impotence of the Arabs of today is the impotence of their Imaan. They have turned their backs on Islam. Islamic culture, i.e. the Sunnah of Rasulallah (sallallahu alayhi wasallam), no longer constitutes their way of life. They are ruled by a mob of modernist ignoramuses, the products of kuffaar academic institutions. These political leaders of the Arabs are men with Muslim names, but with hearts impregnated with kufr. These leaders have over and over again demonstrated and declared their hatred for the Shariah of Muhammad (sallallahu alayhi wasallam) by their enactment of laws in conflict with the Shariah and by their abrogation of Qur'aanic laws. They are scared of Islam which they describe with various epithets of derogation, hence they fear Israel... they fear America... they fear Russia and they fear all and sundry, but they fear not Allah. What is then to be expected? They turn to America for recognition and aid. They look askance and feebly at Russia for support when America boldly shows its preference for Israel. But, they lack the simple intelligence to understand that the kuffaar, be it America or Russia, England or France, are the enemies of Allah, the enemies of Islam and the enemies of Muslims. They are the creators of Israel. They thus nourish and sustain it. But, the Arabs and Muslims in general seek to woo these incorrigible enemies of the Deen. All elements inimical to Islam are granted preference by them over Muslims, but Muslims have become blind to this reality. They forget that the Qur'aan declares:

"Verily, malice has emerged from their [the kuffaar's] mouths. But, what their hearts conceal is worse."

They seek American and Russian recognition, but the Qur'aan-e-Hakeem warns them:

"What! Do you search for izzat [dignity, honour and respect] from them [the kuffaar]?"

They have forgotten that izzat is only from Allah Azza Wa Jal. The Qur'aan tells them:

"Verily, all izzat is for Allah."

Allah apportions izzat to whomsoever He wills in whatever measure He desires. He thus informs believers:

"He grants izzat to whomever He wills and He disgraces whomever He wills."

Thus, for the Mu'mineen there is no izzat forthcoming from America nor from Russia. American recognition is therefore, of absolutely no significance. We as Believers in Imaan must strive for the recognition of Allah Ta'ala and such Divine Recognition is procurable by strengthening our bond of Love with Him, and this in turn depends upon the Sunnah of our Nabi (sallallahu alayhi wasallam).

The Arabs and all Muslims in general, in their total *tashabbuh bil kuffaar* (imitation of the kuffaar) have become blind to the fact that political power and control of lands are apportioned out by Allah Azza Wa Jal, Sovereign of all creation. In this direction, the Qur'aan Shareef declares:

"He grants mulk [political power and domination in the lands] to whomever He desires and He snatches away mulk from whomever He desires."

Thus, America and Russia cannot grant us political power. The Mu'mineen are the vassals of Allah Azza Wa Jal. We are His slaves, hence we cannot look askance to His enemies. If we do, as we have been all along doing, He casts us to the forces of kufr whom we have appointed as our masters in all fields of life. In their eagerness to attain "progress" in western technology, the Arabs and Muslims in general have shoved overboard the Sunnah of their Nabi (sallallahu alayhi wasallam). But, the Qur'aan rebukes them for this adoption of kufr culture and the ways and styles of the enemies of the Deen:

"What! Do you seek the law of jaahiliyyah?"

The Arabs have forgotten that Ameerul Mu'mineen Sayyiduna Umar Ibn Khattaab (radiallahu anhu) stated the cause and the basis of Muslim success in the following words:

"We are a nation whom Allah has granted izzat with Islam."

Thus, without Islam, without the inculcation of everything

which Islam offers into our daily life, there will be no izzat, no dignity, no rank, no power and no victory for the people of Islam.

The army of Islam marches on its Imaan like the army of kufr marches on its stomach. Deprive the kuffaar of food and sophisticated weaponry and they cannot fight. Deprive the army of Islam of *Roohaani* nourishment and Imaani weaponry and it cannot fight. Since the rock on which the army of Islam and the Ummah of Islam stand is Imaan, it is imperative that Imaan be developed, nourished and sustained in the same way in which it was reared into an edifice of power fourteen hundred years ago. Advance in the mudane world--technology, rockets, missiles and computers--has not altered that way--that *Tareeqah*--of developing and strengthening Imaan to gain *Roohaani* power. The *Tareeqah* which emanated from the Cave of Hira and along which trod the illustrious Stars of Imaan holds good for the Mu'mineen even in this space age. That way is the pure, the unadulterated Sunnah of Muhammadur Rasulullah (sallallahu alayhi wasallam). The way to our success and glory is that self-same *Tareeqah* and not some confounded ambiguous concept of 'sunnah' expounded by modernists who are the products of western kuffaar institutions which have fathered the inferior intelligence and outlook of these modernist groups and cliques holding sway in Muslim lands today.

The domination of Islam is not dependent on material power and an excess of sophisticated weaponry. Islamic domination and the victory of Muslims over the Kuffaar rest on *Roohaani* power which is attainable by the introduction of the *Roohaani* precepts and teachings of Rasulallah (sallallahu alayhi wasallam) in every facet of our life. Muslim success requires the eradication of the attributes of kufr and baatil from the heart and the adornment of the *Rooh* with the lofty qualities of Imaan as were taught by Nabi-e-Kareem (sallallahu alayhi wasallam). The initial thirteen years of Risaalat were devoted to inculcate *Roohaani* power into the Sahaabah-- these thirteen years were spent in the development of Imaan. After Imaan had attained the stage of perfection and was imbued with *Roohaani* power, the Command came for them to issue forth into the world to destroy the power of idolatry and kufr and to raise the glory and splendour of the Name of Allah Azza Wa Jal. Thus, we see that having attained Imaani and *Roohaani* perfection, the Sahaabah waged Jihaad-- true Jihaad, not defensive wars to safeguard territorial frontiers of the "fatherland"; not wars initiated by the kuffaar-- but Jihaad for the sole purpose of *I'laa-e-Kalimatullaah* (to raise the Word of Allah). They set out from Arabia and invaded the territories of the kuffaar to raise the Standard of *I'laa-e-Kalimatullaah*. That was Jihaad and that is Jihaad. True and total Jihaad is not the limited and confined campaigns waged for mere political domination. The Jihaad which is *Fardh-e-Kifaayah* is the Jihaad for the glory of Allah's Name and Law.

If again the Arabs can turn to the *Sunnah* of their grandfather, Muhammadd (sallallahu alayhi wasallam), they will again see a world prostrate at their feet. But, for this it seems that we have to await the advent of Imaam Mahdi (alayhis salaam).

Qabar Pujari

Grave-worshipping has been in vogue for a long time. In pre-Islamic times it was practised by various religious groups and later some Muslims too introduced grave-worshipping in a different hue and form. Regarding the evil of grave-worshipping, Rasulullah (sallallahu alayhi wasallam) said:

(1) *"Do not make my grave an idol which will be worshipped. Allah's wrath descends upon a community which makes the graves of its Ambiyaa into Musajid."*

(2) *Allah has cursed the Yahud and Nasaara because they have made the graves of their Ambiyaa into Musajid [places of worship]."*

"Verily, those before you took the graves of their Ambiyaa and their Saints as places of worship. Hear! Therefore do not make the graves places of worship. Verily, I forbid you of this."

(3) *"Do not gather at the grave nor perform Salaat towards it."*

ASTRAY!

The great Savant of Islam, Hadhrat Abu Ayub Sakhtiyaani (rahmatullaah alayhi) said:

When you rehearse to a man something of the Sunnah and he says:

"Leave that! Tell us what the Quraan says about it."

Then know, that verily, that man is astray."

Ghaniyatut Taalibeen

Rashid Khalifa is the tutor of Mr. Ahmed Deedat in the field of the new-fangled computer concocted 'tafseer' of the Qur'aan Shareef. Mr. Deedat has based his baatil booklet on the miraculous nature of the Qur'aan on the baseless expositions of Rashid Khalifaa who has produced a commentary of the Qur'aan in violent conflict with the fourteen hundred years' Shariah of Islam. The following is a brief review of the baatil commentary of Rashid Khalifa.

Our booklet in refutation of the Bahai number 19 on which Deedat bases his idea of the Qur'aan's miraculous nature will be available for distribution in the very near future, Insha'Allah.

BY ISLAMIC RESEARCH INSTITUTE
of Islamabad, Pakistan.

[An Appraisal of false, misleading and inimical
interpretation of the meaning of the Qur'an]

A new English translation of the Holy Qur'an has come out recently from U.S.A. It has been done by Rashad Khalifa and published by his enterprise, Islamic Productions International, 739-E 6th Street, Tucson, Arizona 85719, U.S.A. Priced at \$ 13 printing and get-up is beautiful. Mr. Rashad Khalifa who is originally from Egypt did his Ph.D in Chemistry and is presently running a small "mosque" in Tucson, Arizona of which he is the self-appointed "Imam."

It would be recalled that Mr. Rahsad Khalifa is the propounder of number "19", the so-called secret numerical code of the Qur'an which has been published in book form separately from U.S.A. under the caption "The Computer Speakers: God's Message to the World". He claims that the Qur'an's code is founded on the number 19 and anyone who doubts the divine source of Qur'an will be proven wrong by the number 19. This code number (19) theory has already been refuted by Maulana Abdul Quddus Hashmi, a Pakistani scholar in his paper "The Holy Qur'an and the Figure of 19".

The learned Maulana has rightly stated that the Holy Qur'an is a miracle because of the clarity and chastity of its language and the excellence of its contents, all round guidance and the universality of its message and not due to any mathematical formula system. When the Qur'an al-Karim challenged the infidels, then its intention was not to ask them to bring forward one or ten *surahs* framed on the basis of mathematical calculations. It is also not acceptable that this miracle of al-Qur'an was not known to Holy Prophet (peace be upon him) or to his Companions (may Allah be pleased with them). The Figure of 19 was sacred in old mythologies as in this Figure are included the first unit of reckoning, i.e. 1 and the last largest unit 9. This notion was propagated by an imposter Babak Khurami (who was killed in 223 A.H.) and by his supporters. Then in the last century, Baha Ullah Mirza Hussain Ali Nuri assigned sanctity to it. Now "Bahais" as a part of their preaching have spread this notion widely in U.S.A.

According to Mr. Khalifa, God reveals that exact year of the end of the world through the secret numerical code, although this is in contradiction* of the Qur'an (31:34). He contends that "this code, remained a divinely guarded secret for 1400 years. It was the will of the Almighty to bless this very translation with the exclusive discovery of this profound miracle, as a clear sign of divine approval and authorization."

A perusal of the translation will convince the reader that it has been made for the sole purpose of denigrating and dismantling the position of Hadith and Sunnah from the edifice of Shari'ah. Those who believe in Hadith along with the Qur'a as the basis of Islam are accused "false Muslims" and "Idol worshippers". Hadith is dismissed as conjectures and forgery. According to him "Hadith is no more than inventions by the enemies of the Prophet aimed at repelling the people from God's way and from the Qur'an." (p. 347) The advocates of Hadith and Sunnah are dubbed as "Worshippers of Muhammad" who are "doomed". In the Qur'an wherever mention is made of the mission of the Prophet (alayhi assalat wa assalam) the translator out of sheer disrespect and malice has put his own caption over those verses which read "Do not idolise Muhammad". It seems that the translator is allergic to the very mention of the august personality of Muhammad (peace be upon him). At other places he calls those who believe in the interrelationship and interlinkage between the Qur'an and the Sunnah as the followers of Satan. In short no accusation has been spared against Hadith. A random glance at pages 1, 13, 70, 72, 76, 78, 82, 88, 89, 100, 117, 141, 187, 248, 325, 347, 356, 499, 501, 507, 508, 510, 511 etc., of so-called "First translation by a Muslim whose mother tongue is Arabic" will reveal the purpose and mentality of the translator who in and out advocates nothing but the Qur'an as the only source of law.

There are allegations (although we have no evidence) that the translation has been financed by a certain progressive Arab country as it conforms to its leader's view-point on Hadith. Nevertheless whosoever has aided in any way in the publication of this translation deserves the condemnation of the entire Ummah for creating chaos, confusion and division amongst Muslims in respect of fundamental beliefs and principles. The translator argues that "the only reason behind the existence of several Islamic sects today is that the Muslims have abandoned the Qur'an in favour of the human opinions of their leaders, who are in fact idols. The single most important factor contributing to this unholy division is the invention of "Hadith" and "Sunnah". (p. 100) "A few centuries after Muhammad the "scholars" of Islam invented "Hadith" (oral) and "Sunna" (traditions) to replace Qur'an". (p. 499) Mr. Khalifa denies and ridicules *Miraj* (p. 187) and goes to the extent of saying that "before being guided and belessed by God, Muhammad worshipped idols like the rest of his pre-Islamic community". (p. 89) He has even the audacity to say that Muhammad (peace be upon him) committed many mistakes (p. 502) and that Satan (Iblis) was the (fallen) archangel (p. 510).

Mr. Khalifa in his so-called "Authorised English Version" of the Qur'an tries to demolish one established thing after the other as his criticism is not limited to Hadith only. He argues:

"Among the common inventions are the so-called "99 names of God," many of which are not mentioned in Qur'an. Not to be outdone, those who idolize the prophet Muhammad against his will have invented 201 names of Muhammad. These names, duty fully engraved on the walls of the prophet's mosque in Medina, include some of God's own exclusive names, such as "Al-Muhaymin-the Supreme Being," "and "Al-Shaafec-The Healer." (p. 117)

We would like to remind Mr. Khalifa here that the true knowledge of Allah and His attributes have come to us through His last Messenger, MUHAMMAD (peace be upon him). He taught us that Allah is the only One God (4:171), Who has ninety nine attributive names. Allah is the name of the Divine ONE, as distinguished from all other attributive names called "Asma'-al-Husna", the most excellent names. These tell us about His 'Jalal', 'Jamal' and 'Kamal', that is, Majesty, Grace and Perfection.

A BAATIL COMMENTARY

The order adopted by Qur'an Majeed in speaking of the Divine Attributes is a highly scientific one. Allah (the *Isnul-Azam*) comes first in the opening Chapter of Qur'an Majeed, and is followed by *Rabb*, the most important of the attributive names. *Rabb*, the sustainer, and not *Abb* or Father, which has its own limitations. Allah has no consort nor has He a son—(102:2-3). Next in importance to *Rabb*, are the names *Rahmān*, *Rahīm* and *Mālik* which follow *Rabb* in the opening Chapter. These three names, in fact, show how the attribute of *Rabb* is brought into play, or bringing to perfection by fostering, is brought into play.

Mr. Khalifa is not an *Alim* and as such not competent to translate the meaning of the Glorious Qur'an. He has a Doctorate's Degree in Chemistry and not in Shari'ah. At page 51 of his translation he passes the following derogatory remarks:

"Due to ignorance, misunderstanding, and the invention of "Hadith" many Muslims are under the false impression that Islam limits polygamy to four wives. The fact is that the Qur'an, while recommending only one wife, does not place any limit on polygamy (see 4:3, 129). Ironically, those who claim that Islam, and specially "Hadith", limits polygamy to four, seem to forget that the prophet left nine wives when he died."

This is a great travesty of truth. There is no denying the fact that Allah permits polygamy. To forbid it is to deny ourselves that Allah and His Prophet have allowed us. The determination of *Hurmāt* (unlawfulness) and *Hillat* (lawfulness) has not been left to the discretion of man. Allah Himself has legislated for man and pronounced His injunctions in unmistakable terms. To quote the Holy Qur'an:

"And if ye fear that ye will not deal fairly by the orphans, marry of the women who seem good to you, two or three or four, and if ye fear that ye cannot do justice (to so many) then one (only) or (the captives) that your right hands possess. Thus it is more likely that ye will not do injustice." (4:3)

Islam by permitting the Muslims to marry four women has put a check on the unrestrained polygamy which had been practised at the time of the advent of the Holy Prophet. Moreover, it has purged this institution of all unhealthy practices and made it obligatory for a person having more than one wife to observe equity and justice amongst them, and if he is unable to do so he should remain content with one wife only.

Some other instances of blasphemy from Mr. Khalifa's infamous work are:

"The punishment for married woman who commits adultery could not possibly be death, as claimed by the inventors of "Hadith" and/or "Sunnah" (p.54) "A famous recent example is the 1978 execution of a Saudi Arabian princess accused of adultery. God's law, as clearly stated in 24:1-2 call for whipping, while the law of the idol-worshippers specifies death for the adulterers" (p.97)

"The only miracle manifested through Muhammad, namely, the Qur'an was not unveiled until the preparation of this very translation." (p.192)

"Verse 88 (chapter 17) is a direct reference to the Qur'an's miraculous numerical code that this translation was exclusively blessed with unveiling. While many human beings did produce literary works as excellent as the Qur'an, no power on earth can duplicate the Qur'an's intricate numerical code..." (p.194).

"The sole mission of the prophet was to deliver the Qur'an, the whole Qur'an and nothing but the Qur'an". (p.31)

Mr. Khalifa has reduced the exalted status of the Prophet to that of a postman whose only function is to deliver the mail. Nothing could be more sorrowful for a Muslim than such mischievous attempts to belittle the role of the Prophet. The Almighty Lord Himself

says: "O Prophet! Lo! We have sent thee as a witness and a bringer of good tidings and a warner. And as a summoner unto Allah by His permission, and as a lamp that giveth light. And announce unto the believers the good tidings that they will have great bounty from Allah" (Al-Qur'an, 33:45-47)

There is no denying the fact that the foundation of Islam rests on Qur'an and Hadith. If one takes out Hadith, the foundation of Islam crumbles. Every believer is, therefore, required to take the conduct of the holy Prophet (peace be upon him) as the model for himself in all affairs of life. The Holy Qur'an commands us that whoever convenants with the Prophet convenants with Allah (48:10); whoever obeys the Prophet obeys Allah (4:80) and those who love Allah must follow the Prophet (3:31-31) for the Prophets are sent to be obeyed. The believers are instructed not to act as they please in matters already decided by Allah and His Messenger (33:36). The holy Prophet is the model and his conduct is the standard for all mankind (33:21).

The Holy Qur'an further proclaims:

"We sent no Messenger save that he should be obeyed by Allah's leave. And if, when they had wronged themselves, they had but come unto thee (O Muhammad) and asked forgiveness of Allah, and asked forgiveness of the Messenger, they would have found Allah Forgiving, Merciful.

"But nay, by thy Lord, they will not believe (in truth) until they make thee (O Muhammad) judge of what is in dispute between them and find within themselves no dislike of that which thou decidest, and submit with full submission." (4:64-65)

What should be the extent of our love for the Holy Prophet? The Holy Qur'an is very clear on this point:

"Say: If your fathers, and your sons, and your brethern, and your wives, and your tribe, and the wealth ye have acquired and the merchandise for which ye fear that there will be no sale, and dwellings ye desire are dearer to you than Allah and His Messenger and striving in His way: then wait till Allah bringeth

His command to pass. Allah guideth not woring-doing folk." (9:24)

This point has been emphasised in the undermentioned *Ahādith*:

1. Anas reported that Allah's Messenger said: "None of you would be a believer till I am dearer to him than his father, his children and (in fact) the whole of mankind." (Bukhari & Muslim)

2. He (Anas) also reported Allah's Messenger as saying: "Three (are the qualities) whosoever posses them, has tasted the sweetness of the faith: He to whom Allah and His Messenger are the dearest of all else. He who loves a slave (person) and he does not love him but for the sake of Allah and he who abhors relapsing into unbelief from which Allah has redeemed him as he would abhor being cast into fire." (Bukhari & Muslim).

3. Ibn Abbas b. Abdul Muttalib reported Allah's Messenger as saying "He in fact tasted the sweetness of faith who is well pleased with Allah as Lord and Islam as the code of life and Muhammad as the Messenger." (Muslim).

It is a sin not to transmit the words of the holy Prophet to the other Muslims because what he did or said was Divinely inspired and as such the people should know that it is an integral part of his ministry of Prophethood—for it is said in the Qur'an of the Prophet: "He does not speak of his own desire." (53:8). That is, he speaks only when an objective necessity arises; and he does it because Allah orders him to do so. In a number of verses of the Holy Qur'an, the Muslim are enjoined upon to accept his guidance as final in all spheres of life, since his guidance is Divinely inspired and as such, is as binding on a Muslim as the guidance found in the Qur'an: "And whatsoever the Messenger gives you, accept; and whatsoever he forbids you, avoid." (59:7) For this reason we are obliged to follow the Prophet's Sunnah in spirit and in form, if we wish to be the true followers of Islam.

There is no denying the fact that the Holy Qur'an is complete in all respects but it should be remembered that it was never intended to be used independently of the personal guidance of the Prophet who was the means of its revelation. The people of Mr. Khalifa's brand little realise that a denial of the Sunnah amounts to a denial of the Holy Qur'an's claim that the Prophethood of Muhammad (peace be upon him) is not time-bound; it is universal and the Prophet's words and deeds are the timeless expressions of the will of Allah: "Say: O mankind! Surely I am Messenger of Allah to you all, of Him Whose is the kingdom of the heavens and the earth. There is no god save He: so believe in Allah and His Messenger, the *Ummi* (unlettered) Prophet, who believes in Allah and His words, and follow him so that you may be guided aright". (Al-Qur'an, 7:158). It is, therefore, only by faithfully and sincerely following Muhammad (peace be upon him) that we can achieve the cherished goal of winning Allah's favour as made clear in verse 31 of Surah Ale-Imran of the Qur'an.

Through a critical review of Mr. Khalifa's misleading and mischievous translation in newspapers and periodicals, the individuals and organisations all over the Muslim world be informed of this conspiracy so that appropriate measures are taken by all concerned to expose the enemies of Islam both within and without who are out to cast doubts and aspersions on Hadith to weaken the foundations of Islam and thereby derail Muslims from the Right Path. The holy Prophet during the course of Farewell Pilgrimage said "I am leaving behind two things: Al-Qur'an and my Sunnah; If you hold fast to them you will never go astray."

It is hightime that we hold fast to Qur'an and Sunnah with all the enthusiasm and energy at our command and frustrate the designs of those who are looking for opportunities to deceive and mislead us by their new fangled theories.

May Allah help us to serve His *Deen* with correct understanding, sincerity and devotion. Ameen!

—Muhammad Sami'ullah

THE QUR'AAN AND YOU

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NOOR OF THE HEART

RASULULLAH (sallallaahu alayhi wasallam) said:

"When Noor (Celestial and Spiritual Light) enters the heart of man, his breast (spiritually) expands."

Upon the Ashaab's request for a sign of this Noor of the heart, Rasulullah (sallallaahu alayhi wasallam) said:

"The recognition (or sign) of this Noor is that man runs away from this abode of deception (the world) and turns his attention towards solitude and the abode of the Akhirat. He makes preparations for maut (death) prior to its arrival."

AHMADIYAT

ALL MIRZA-IS

The second group, either because of deception or ignorance, does not proclaim Mirza as the abrogator of

(2) They all resort to Ta'wīl (interpretation) to explain the *La ilah illa Allah* (Finality of the Prophet Muhammad ﷺ). This is the essential and cardinal belief of Islam. A baseless interpretation that contradicts the meaning and understanding of this

And, it is upon us to meet

haj

“Just as the former Islam without Ahmadiyat, that is, the Islam that remains without Hazrat Mirza Saheb, is a dry Islam, so is the Mecca Haj a dry Haj without this Haj because in these days the objectives of Haj are not fulfilled there.”

' OF KUFR AND BAATIL

S ARE KAAFIR

oi with an independent Shariah hat this stated view of this group ar and categoric claims of Mirza imed himself to be the Promised ent Nabi with a new Shariah. ot overtly assert Mirza Gulam as riah, it does believe him to be a he Ambiyaa (alayhimus salaam).

aims Mirza Gulam as the Prom- Mahdi. They do use the terms e Mirza although they profess to ive sense.

MON TO THE THREE MIRZAA-I

ad is a Muslim. All three groups n him to be the Mahdi and the the Mirza's categoric and unam- wah.

'weel-e-Faasid or corrupt inter- lamic concept of *Khatm-e-Nub- buwwah* of Muhammaad--salla- hatm-e-Nubuwwah is among the iefs of Islam. By means of their ey alter the unanimous meaning concept.

(3) They all accept Mirza Gulam Ahmad to be a Muslim inspite of his abuse and insult of the Ambiyaa (alayhimus salaam). Whoever abuses and insults a Nabi is a kaafir.

The above three factors of kufr are common to the three Mirza'i groups, hence all are kaafir-- beyond the pale of Islam.

Besides these common features of *kufr*, there are other beliefs of *kufr* to which the various Qaadiaani groups subscribe and which render them kaafir.

On the basis of the clear and proclaimed *kufr* common to the three groups following Mirza Gulam Ahmad, the Ulama of Islam have branded all followers of the Mirza as *kaafir*, be they Ahmadi, Qadiani, Lahori or Mirza'i-- irrespective of the group to which the followers of the *kaafir* and *murtad* belong.

In view of the fact that all followers of Mirza Gulam Ahmad of Qadian are *kaafir*, it is not lawful for Muslims:

- * to permit them to pray in our Musaa'id,
- * to allow them to bury in our cemeteries,
- * to enter into marriage with them,
- * to assist them in their religious activities,
- * to establish social ties and relationships with them,
- * to regard them as Muslims.

Qabar

ijari

aat

PTION

ive-worshipping) sect, true to its eddling the falsehood that the refain (of Makkah and Madinah) adhrat Maulana Rashid Ahmad alayyh) in particular, and the ernal. To hoodwink the unwary, reating much dust and smoke ul *Haramain* in which the fatwas e Ulama of Deoband.

nd of this issue will, Insha'Allah k form as soon as Allah Ta'ala Meanwhile, in refutation of the abar Pujaaris in this matter, we s in brief:

ul *Haramain*, is deceptive and a Its author is Molvi Ahmad Raza he leader of the kufr-mongering

ainst the Ulama of Deoband was d blatant falsehood-- by attribut- : Ulama of Deoband.

f the fatwas thus procured by the iari sect, the true beliefs of the e pointed out to the Ulama of

main Shareefain thereafter prep- is pertaining to *Aqaa-id* (beliefs) re to the Ulama of Deoband for

and furnished their reply in detail n Shareefain.

reply of the Ulama of Deoband, Shareefain retracted their earlier y Molvi Raza Khan by fraud and

ramain Shareefain then spoke in lama of Deoband endorsing the eoband as being correct and the unnah Wal Jamaa'. Not only the efain, but the Ulama of the entire d the answers of the Ulama of ions, endorsed the beliefs of the e correct beliefs of Islam.

rom all parts of the Islamic world n statements and signatures the of the Ulama of Deoband.

ely deliver the Message.

KUFR CLAIM

The Qadianis had themselves declared on more than one occasion that the entire Muslim community was non-believer according to their faith. Mirza Ghulam Ahmad and his disciples had plainly stated that the Muslims who did not accept the Qadiani religion were Kafirs behind whom it was not allowed to offer Namaz nor was it lawful to give them one's daughter in marriage. Writes Mirza Bashiruddin Mahmud, the son of Mirza Ghulam Ahmad and the second Khalifa (Leader) of the Qadiani community, in *Aina-i-Sadaqat*.

"All those Muslims who have not been integrated in the oath of fidelity to the Promised Messiah, regardless of whether they had heard his name or not, are Kafirs and outside the fold of Islam."

KUFR

BELIEFS

Among the many beliefs of kufr which relegate the Qaadiaanis--all followers of Mirza Gulam Ahmad of Qadian--beyond the pale of Islam, the following are soome:

- (1) The belief that Mirza Gulam Ahmad is Imam Mahdi.
- (2) The belief that Mirza was the Promised Messiah or Nabi Isaa (alayhis salaam).
- (3) The belief that Mirza was an independent Nabi who brought an independent Shariah.
- (4) The belief that Mirza was the abrogator (Naasikh) of the Shariah of Islam which was taught by Muhammad (sallallahu alayhi wasallam).
- (5) Mirza is superior to all Nabis even superior to Ras- ulullah (sallallahu alayhi wasallam).
- (6) All those who do not accept Mirza are kaafir.
- (7) Mirza abused and insulted the Ambiyaa (alayhimus salaam).
- (8) It is obligatory to recite the name of Mirza in the Islamic *Shahaadah* instead of the name of Muhammadur Rasulullah (sallallahu alayhi wasallam).
- (9) Mirza's deputies are equal in rank to the Khulafa-e-Raashideen.
- (10) Mirza's disciples are equal in rank to Sahabah of Rasulullah (sallallahu alayhi wasallam).
- (11) Mirza's hometown, Qadian enjoys the same sanctity as Makkah and Madinah.

- (12) Hajj to Qadian is equal to Hajj in Makkah.
- (13) Mirza has cancelled the injunction of Jihaad. Jihaad is haraam.
- (14) Nabi Isaa (alayhis salaam) is dead.
- (15) Nabi Isaa (alayhis salaam) will not return to earth again.

- (16) Nabi Isaa (alayhis salaam) lies buried in Srinigar, Kashmir, India.
- (17) Certain Qur'aanic verses pertaining to the Ka'bah, refer in actual fact to the mosque in Qadian.
- (18) The Hajj at Makkah without a hajj at Qadian is a dry Hajj.

The above are some beliefs, statements and opinions of kufr of Qadianism. All groups following Mirza Gulam Ahmad share in these beliefs and opinions of kufr in varying degrees. According to the Shariah, therefore, all followers of Mirza Gulam Ahmed, be they known as Qadi- aanis, Ahmadis, Laahoris, etc., are kaafir.

His GRAVE

ACCORDING to Qadianism the grave of the Mirza is similar in glory and sacredness to the resting place of the Prophet Mohammad. For instance, it was published in *Al-Fazl*, on behalf of the Training Department of Qadian, in disapproval of those who went to Qadian and yet did not visit the Mirza's grave that "in this way, the full reflection of the radiance of the Green Dome of Medina is falling on this White-Dome and one could partake (here) of the blessings which are peculiar to the radiant resting-place of the holy Prophet. How unfortunate is he who in the *Hajj-i-Akbar* (Great Pilgrimage) of Ahmadiyah, should remain deprived of this blessing."

The Qadianis, as such, believe that Qadian is one of the three holy places of Islam. In one of his speeches Mirza Bashiruddin Mahmud said:

"By venerating Medina we do not affront the House of Kaaba. In the same way, when we venerate Qadian, we do not affront Mecca or Medina. The Exalted God sanctified all these three places and chose them for the manifestation of His Light."

FALLACY OF THE

Qadiani movement.

The Qadiani faith is the pernicious matter which spreads disgracefulness and cowardice and sycophancy and toadyism and the adulation of Western Imperialists in the Islamic world. It produces the lackeys of international gangsters and oppressors who have sown corruption in the lands of Islam and subjugated the Muslims.

The misdeeds of Qadianism are too numerous to be reckoned. It promotes confusion in the *Millat* by destroying the unity of the *Kalima*. It shakes its faith in the springheads of Islam, its original sources and immortal heroes, and paves the way for hypocrites and imposters and false claimants to Apostleship. It encourages defeatism, frustration and disillusionment.

Differences

Dwelling, on another occasion, upon the differences between the Qadianis and the Muslims, Mirza Bashiruddin Mahmud quotes the following from his father:

"We differ with them with regard to the Being of Allah, with regard to the Prophet Mohammad, with regard to the holy Quran, and with regard to Namaz (prayer), Roza (fasting), Zakat (poor-due) and Haj (pilgrimage); in short, in each and every thing we differ with them."

THE GREATER JIHAAD

Hazrat Jaber R.A. reported that Rasulullah (sallallahu alayhi wasallam) said to the people who returned from Jihad (Holy war). Welcome to you all for you have come from a minor Jihad to a major Jihad. He was asked: O Rasulullah! what is a major Jihad? He said fighting with one's passion.

BAIHAQI.

ABOUT

GRAVES

Rasulullah (sallallahu alayhi wasallam) forbade that graves be plastered over and buildings be erected over them. Among the prohibited acts pertaining to graves are:

- * Erecting walls around the graves as is common nowadays.
- * Flattening the grave.
- * Cementing or casting concrete on the surface of the qabr.
- * Placing marble stones or other fancy decorative material at the grave is is the custom of non-Muslims.
- * Placing stones with writings or inscriptions of any kind, be these verses of the Qur'aan Shareef or poetry, etc.
- * Placing flowers on the grave.

*Placing foodstuff and sheeting on the graves as is the special practice of the Qabar Pujaari sect.

*Circumambulating (making tawaaf) of graves.

*Bowing (ruku) and prostrating (sajdah) to the grave.

* Kissing the grave.

*Asking the inmates of the graves to fulfill one's hopes and wishes.

GREATER THAN

Ambiya

Take, for instance, Haqiqat-un-Nabuwat written by Mirza Bashiruddin Mahmud Qadiani. About Mirza Ghulam Ahmad he says in it that he has excelled some of the Divine Apostles. In the official mouthpiece of Qadianism, *Al-Fazl* it is stated that "he was greater than many Prophets, maybe, than all of them." In its issue of May 28, 1918, it is said, while declaring that the Companions of the holy Prophet and of Mirza Ghulam Ahmad were equal in rank that "it is wrong to distinguish between the two groups and to hold one of them to be superior, in the totality of their attributes, to the other. Both of these groups; in truth, belong to the same party. There is only a difference of time between them. They were the pupils of the First Prophetic Advent; these are the pupils of the second Prophetic Advent."

In the same journal, it is proclaimed that "the Promised Messiah is Mohammad, the very Mohammad." Likewise, Mian Bashiruddin Mahmud, a deputy of the Mirza, writes in *Ahwar-i-Khilafat* that "I believe as a matter of faith, that in the Quranic verse His name is Ahmad refers to the Promised Messiah."

THE

FALSE PROPHET

The same Khalifa, while giving evidence before a Court of Law, said

"Since we regard Mirza Ghulam Ahmad to be a Prophet and the Non-Ahmadiyas do not regard him to be a Prophet, and according to the teachings of the Quran to reject any one of the Prophets is apostasy, the non-Ahmadiyas are Kafirs."

HASAD

"*Hasad (jealousy) is, in fact, objection against Allah Ta'ala, for it implies dissatisfaction with the apportioning of Allah Ta'ala.*

(*Hadhrat Masihullah*)

Deficiency

of Love

The Qur'an speaks of the deep love of the Mu'mineen for Allah Ta'ala:

"Those who have accepted Imaan have the greatest of love for Allah."

This is the bond between the Mu'min and Allah Ta'ala. If, then, the Believer endeavours to interpret away the teachings and commands of Allah and His Rasool (sallallahu alayhi wasallam) or institute enquiries into the cause of the Divine Commands, then such an attitude will be proof of the deficiency of one's love for Allah and Rasulullah (sallallahu alayhi wasallam).

(*Hadhrat Masihullah Sahab*)

MADINATUL AULIYA

A certain Wali (Saint) narrated that once he was sitting in Masjid-e-Nabi in the company of a man who hailed from Bahrain. The name of the man from Bahrain was Khair. Seven men emerged from the entrance of the Masjid. As they were leaving, Khair ordered the Wali to accompany the group, saying that the seven men were Auliya of Allah. The Wali then narrates:

"I followed the group of Auliya. They proceeded to the holy grave of Rasulullah (sallallahu alayhi wasallam) and halted there. As I stepped forward towards them, one of the group stared at me so fiercely that I was overcome with terror. In spite of the fear which his stare instilled into me I resolved to remain with them. When they left, I followed them.

One of them turned towards me and demanded: "Where are you going? Return! You cannot reach us." A second one of the group then spoke: "Perhaps Allah Ta'ala will grant him benefit too."

The first speaker said: "His age is not forty years."

Second speaker: "Leave him. Perhaps the disadvantage will be compensated and Allah Ta'ala will grant him the rank of the Fraternity [of Auliya]."

No attempt was then made to prevent me and I accompanied the group on its journey. As we journeyed I observed a wonderful phenomenon. The roads and mountains simply wrapped up ahead of us. We would observe a mountain in the far off distance and soon we would find ourselves descending the bottom on the other side. We would observe a valley and almost simultaneously we would discover ourselves having traversed it. I heard the rumbling movement of the earth under my feet as if it was a grinding-stone. I observed the hidden treasures in the bowels of the earth and as suddenly as I saw these they would disappear from sight.

We proceeded along our journey observing such wonderful phenomena. At last we reached a plain in which trees grew in abundance. The vegetation was luxurious. Here we came across seventy men engaged in Salaat. We spent the night at this place.

In the morning after sunrise I saw to my surprise that we were outside a city enclosed by a solid wall of marble-stone. The surrounding marble wall was a single structure with no openings or entrances. A huge river was flowing into the city. I observed that the only entrance to the city was the spot where the river entered through a gap in the marble wall. The gap was covered by a net of golden wire-mesh. At this point we were about a hundred men. All waded into the river and I followed, and along with the water we made our entry through the gap into the city. Inside I observed the stunning beauty and marvels of the city. There were numerous domed structures. The domes were of solid gold and were supported by pillars of silver. Under the structures were wonderful trees bearing fruit,

the wonder of which cannot be described. The fruit laden on the trees had no resemblance to the fruit of the world, neither in colour nor in taste. The size of the fruit was massive in comparison to the fruit of the world. A great variety of exotic and brightly coloured birds flitted about. The grass had a wonderful fragrance.

We lived in this city of wonder for forty days. Our only occupation was to eat and perform Salaat. The fruit was so delicious that each man would eat a hundred apples at a single sitting without satisfying his hunger. Apples, pom-

granates, mandarins, etc. could not fill us. But, dates filled us. Throughout our stay we felt no need of sleeping, drinking water and answering the call of nature. Forty days later we departed and I took along three apples. No one made any attempt to prevent me. We left the city from the same gap by which we had entered.

After walking a short distance, one of the group asked me: "What are you actually after and where shall we take you?"

I told them to return me to the place where they had met me (i.e. in Madinah Munawwarah). Thereupon I enquired from them the name of the city of wonder. One of them spoke:

"The name of the city is Madinatul Auliya [or the City of the Auliya]. Allah Ta'ala has created this city for the vacation purpose of his Auliya. Occasionally the Auliya spend some time in the city. The city sometimes appears in Yemen, sometimes in Shaam and sometimes in Kufah. No one under the age of forty besides you has ever entered this city."

After a short while we reached a place which they informed me was Yemen. We proceeded along our journey. Occasionally I would eat of the apples and would not become hungry for several days. Finally we entered Makkah Muazzamah where I met Kin'aani. I presented one apple to Kin'aani. On the second day of our arrival in Makkah Muazzamah, one of the group of Auliya met me and mildly rebuked me for having given one of the apples to Kin'aani and for telling him what I had seen. But, he added: "We have returned what you gave Kin'aani to its original place."

I went to Kin'aani and enquired about the apple. He said that he had closed the apple in a can and when he went to fetch it in the evening he discovered that it had disapp-

-- NAZHATUL BASAATEEN --

This is one of the manifestations of the Kudrat of Allah Ta'ala. Its truth is attested to by numerous Auliya of Allah Ta'ala.-- Editor.

Base Motives

The only reason for not practising Amr bil Ma'roof is because in doing so worldly motives and desires are lost. For example, we fear that our friendship ip will be broken; the smiles and the salutations will not remain; if we call someone's attention to the right thing he will be displeased with us, and when we displease him he may harm us. In reality all these talks of causing harm (i.e. to the one who practices Amr bil Ma'roof) are baseless suspicions.

(Hadhrat Masihullah)

Maslihat

Even in religious duties people's gaze is fixed on motives and desires, hence, they firstly see if the religious duty is in accord with their motives. Whenever they see that their motive will not be realised by the execution of the religious duty they claim that this duty is not in accord with maslihat or expedient.

(Hadhrat Masihullah)

FITNAH

In reality the motives should be made subservient to the Ahkaam (Laws of Allah), and not the Ahkaam to the Aghraaz (motives and desires). Alas? this is not the case. Certain people in order to fulfil the motives of their desires dub the propagation of Islam as Fitnah and strife.

(Hadhrat Masihullah)

THE IMPORTANCE OF MUSTAHABBAT

A person of Yaqeen understands that the Faraa-idh (compulsory acts) cannot be perfected without fulfilment of the Mustahabbaat (preferable and meritorious acts). The Faraa-idh occupy a loftier rank than the Mustahabbaat, in fact, they are on the highest pedestal. One cannot reach the uppermost rung of the ladder without first stepping on the bottom rung. If one attempts to reach the top rung without clambering from the bottom, one is liable to be injured. You (as a Mu'min) desire spiritual elevation. It is therefore essential that you climb the ladder of spiritual progress from the bottom. The bottom rung of the spiritual ladder of progress consists of the Mustahabbaat. If you adopt and fulfil the Mustahabbaat you will attain the Fara-idh in a perfected state.

[Hadhrat Masihullah Khan]

Malady of envy

Little people attain greatness only when they are tutored by those who are superior and great. [Little in the context of this discussion refers to all such persons who are beginners and unqualified, and 'superior and great' refer to those who are qualified and who have attained high rank. Thus the student is a 'little' person and the teacher a 'superior' person; the mureed is a little person and the Shaikh a great and a superior person.] When little people serve obediently under their superiors they attain high rank. If one who possesses no rank desires to become great by himself without submitting to a superior, he will not achieve his goal. Today this malady of self-esteem is greatly prevalent.

Nowadays the little ones find fault with their superiors. They seek to belittle the superior ones in the eyes of others. The motive underlying this baneful attitude is hasad (jealousy) which is a widespread disease. A man is not prepared to see and accept the greatness of another. He wishes greatness for only himself, hence he remains blind to the superiority of others. When he considers himself to be great, how is it possible for him to regard others as great?

One afflicted with the malady of superiority is beyond spiritual reformation (islaah). The Auliya have said that when one realises that a man is a haasid (jealous), one should not endeavour to reform him, for this is not possible. Shaitaan fell because of hasad which developed in him for Aadam (alayhis salaam). He considered himself superior to Aadam (alayhis salaam) because of envy. He felt that Aadam (alayhis salaam)--a child to him in age--should not out-class and out-rank him. He thus became rebellious and refused to submit to the Divine Command to make sajdah to Aadam (alayhis salaam). He remained adamant in his refusal even though Allah Ta'ala reasoned with him. Today this very disease of hasad is rampant. Our Akaabireen (pious and great predecessors in knowledge and piety) were free of this ailment. Their like cannot be found today.--Hadhrat Maulana Mohammed Masihullah

THE SIX NAFL FASTS OF SHAWWAAL

During the month of Shawwaal (the month after Rama-dhaan) it is a Sunnat practice to keep six fasts. The Hadith Shareef explains great significance of the six fasts of Shawwaal. However, many people have adopted a wrong approach and attitude to these six fasts.

Some people entertain the belief and attitude that it is near to obligatory to commence with these six fasts the day after Eid. They also believe that these fasts have to be kept consecutively--one after the other-- all together. Some again say that the fasts should be kept immediately after Eid while "we are still in the fasting mood". Others again say: "The sooner we keep them the quicker we will get it over." After the six fasts have been kept some say that they are "celebrating a second Eid".

This attitude is un-Islamic and wrong. These fasts are acts of great Ibaadat, hence our attitude and niyyat should be rectified. The thawaab for Ibaadat accrues only if the niyyat is correct. An erroneous niyyat deprives one of the great virtues of the acts of Ibaadat. Regarding the six fasts of Shawwaal, the following rules should be noted:

- * These six fasts are Nafl--not obligatory.
- * There is no compulsion to commence the fasts immediately the day after Eid.
- * It is not necessary to keep the six fasts consecutively. These could be spread over the course of the month or if one wishes, consecutively--one after the other. It is a matter of individual choice. One may start the day after Eid or on any other day during the month.
- * The notions of "fasting mood" and "getting over it" should be eliminated. This attitude is not in line with the spirit and purpose of fasting. While the main reason for fasting is to gain the Pleasure of Allah Ta'ala, fasting does serve the purpose of subduing and taming the nafs of man. A degree of difficulty is therefore preferable. The fasts should not be approached as if they are a burden to be shed off quickly.

The notion of "second Eid" is baseless. There is no such mini-eid following these six fasts.

The erroneous attitude associated with these six fasts oversteps the limits of the Shariah. Such transgression is not lawful. The Qur'aan Shareef states:

"These are the limits of Allah. He who oversteps these limits has wronged himself."

Istiqamat

Hadhrat Ibrahim Bin Adham (rahmatullah alayh) once while journeying in the wilderness required water for making wudhu for performing his Asr Salaat. He could see no sign of water. While searching for water he came across a well. In haste he lowered the bucket into the well. When he retrieved the bucket he discovered that it was filled with silver. He called to Allah that he required water not silver. He dumped the contents of the bucket into the well and lowered the bucket again. When he brought the bucket to the surface he found it to be full of gold. He exclaimed: "How curious! What jest is being played on me?" So saying, he dumped the gold into the well and for the third time lowered the bucket. This time the bucket returned filled with precious stones. He cried out: "O Allah! Do not make me stand a trial. I require water. Forgive my sins."

He dumped the precious stones into the well and lowered the bucket a fourth time. To his great joy and pleasure the bucket came up with water. Overwhelmed with delight he said to himself that now Allah Ta'ala was pleased with him.

In this episode is the lesson of istiqamat (steadfastness).--- [Hadhrat Masihullah Khan]

mushtabahat

Now, the state of affairs is such that sometimes the Fara-id are neglected and sometimes the Waajibaat are shunned. At times Haraam is perpetrated. If not this, then Makruhaat-e-Tahreemiyah are committed, and if not, then Makruhaat-e-Tanziyyah. If none of these wrongs are committed then Mushtabahaat (doubtful things) are indulged in although it is necessary to abstain from even doubtful things. In this regard Rasulullah (sallallahu alayhi wasallam) said: "Abstain from that which is doubtful."

Abstention from mushtabahaat protects and strengthens the Imaan. When you are not certain if something is halaal or haraam then abstain from it. It is now known as doubtful. In abstaining from the doubtful things, purity and elegance enter the Imaan.

You should have the desire to inculcate purity and elegance of Imaan. This will not enter Imaan unless you abstain from haraam, makruh as well as mushtabah things. Only then will your Imaan be safe. It will then not be despoiled.-- Hadhrat Maulana Mohammed Masihullah

THE VICES OF THE TONGUE

(IMÁM GHAZÁLÍ-R.A.)

The uncontrolled use of the tongue engenders numerous gross vices which impede the progress of the self towards its goal, and these vices do not belong to a particular organ of the body, i.e., the stomach, the ear or the eye. The sway of the tongue includes everything existing actually or potentially. It translates into words, inner thoughts, fancies and emotions. The functions of other senses are limited, but the function of the tongue is all-embracing, like that of the mind. It is influenced by the mind; and in turn the mind is affected by it. The words and expressions uttered by the tongue give rise to corresponding emotions in the mind and leave definite impressions upon it. Indecent and false speech induces dreams of a similar nature: The evils of speech are many and it is an arduous task to guard against them all. So silence or keeping speech limited to bare necessity is a golden rule.

Some of the vices pertaining to speech are as follows: One should not waste his life in useless speech. Every moment of one's life should be given to contemplation or devotion. The physical cure for talkativeness consists in checking it by retiring into loneliness or by putting small pebbles in the mouth. Talking of immoral things, uttering indecent words, ridiculing joking, abusing, and cursing and similar vices should be avoided. Contradiction, disputation, and quarrelling should not be resorted to. One should not endeavour to pry into the secrets of others. One should not make false promises since this deforms and darkens the soul. Falsehood in speech is a heinous sin. But it is permissible in an emergency when the end in view is good, e.g., the protection of a Muslim refugee against a tyrant, the restoration of happy relations between wife and husband, or reconciliation between two Muslims. In all other circumstances lying is strictly forbidden. In cases where truth and falsehood appear to have equal claims, the former must be adopted. Except in a serious emergency, falsehood is immoral and truthfulness imperative.

Slandering (*ghiba*) consist in speaking about a person in such a manner that if he heard it his feelings would be injured. It is worse than adultery. He who commits it feeds on the dead body of his brother. A statement may be true, nevertheless it may be slanderous. The various forms of slander are: talking of others' physical defects, low birth, bad character, evil habits etc. Slandering is not only done with tongue, but also by means of gestures and writing. Suspicion is also a form of slander, for thinking ill of a person is not lawful. Any thought about a person which tends to lower him and is actually not based on positive proofs must be taken as satanic. The causes of slander are many but a few of them are mentioned below: (1) Anger, (2) Seeking the pleasure of others; (3) Self-defence of self-justification, i.e., when a person charged with a crime attempts to exonerate himself by imputing the crime to someone else. (4) self-glorification. Sometimes one finds fault with another person in order to praise oneself by implication, e.g., one may charge a person with ignorance in order to advertise one's own knowledge. (5) Envy. (6) Feeling of pleasure at another's misfortune. (7) Carelessly giving out the name of a person who has committed a fault. (8) Anger for the pleasure of God. One may express his anger at another's transgression, and may mention his name while expressing his anger. This kind of indignation should be expressed without naming the person, else it would amount to slander. But there are certain exceptional cases when slandering is allowed. Such cases of emergency are noted below. (1) One can slander the wrongdoer for one's own safety and the safety of the public before a lawful authority, i.e., the king or the judge. (2) One can disclose the faults of another in order to prevent him from following evil path. (3) The oppressed can ascertain the opinion of a lawyer against a wrong-doer.

Tale-bearing is the communication of a person's words to another through words, gestures, writing and action in a manner harmful to the former. Flattery or exaggerating the merits of a person produces six evils, four in the flatterer and two in the flattered. The flatterer is generally prone to the evils of talkativeness, falsehood, hypocrisy and pleasing a tyrant; the flattered becomes proud and neglects to improve himself. Self-praise is bad, therefore, it is prohibited. But a teacher may describe his own virtues so that his pupils and disciples may be encouraged to follow them.

On burial

An evil prevailing in the Muslim community nowadays, is to unnecessarily delay in the burial of the mayyit (deceased). This unnecessary delay is in direction contradiction to the command of Rasulullah (sallallahu alayhi wasallam)

IT IS NOT LAWFUL . . .

- * to charge interest on overdue accounts.
- * to overdraw your banking account and pay interest.
- * to charge interest for discounting bills.
- * to enter into endowment-insurance policies.
- * to insure your plate glass.
- * to insure your vehicle, stock, etc.
- * to usurp the deposit on a layby parcel on the pretext that the customer did not call for it within a stipulated period.
- * to deduct from the wages of staff for goods damaged accidentally.

QÁDIÁNIS

Muslims must beware of the pernicious religion of Qadiaanism or Ahmadi'ism. The followers of the apostate and murtad, Mirza Gulam Ahmad of Qadian are experts at the employment of deception. In their literature they prominently exhibit in Arabic the Kalimah of Islam, viz., *Laa ilaaha il lal laahu Muhammadur Rasulullah*, but their belief in regard to Muhammad (sallallahu alayhi wasallam) is not the same as the belief of Islam. The Qadianis have all along attempted and are even today desperately endeavouring to pass off their religion of kufr as ISLAM. They are desperate in their endeavours to be recognized as Muslims. But, Islam will not allow this fraud to be perpetrated in its name.

Islam and Muslims cannot permit that kaafirs of the highest order slink into the fold of Islam with all their kufr, baatil, dhalaal and all the falsehood of the dajjaal, Mirza Gulam. Muslims must not allow themselves to be hoodwinked by the subtle, cunning and pernicious literature issued by the Qadiaani and Ahmadi mission stations operating under the garb of Islam. They are not Muslims. They are kaafir and no power on earth can compel Muslims from proclaiming the kufr of the Qadiaanis. The kufr of the dajjaal will not be allowed to sink its poisonous fangs into the flesh of Islam without the vehement opposition of the followers of Muhammadur Rasulullah (sallallahu alayhi wasallam). The Qadiaanis, the Ahmadi, the Lahoris--all followers of the dajjaal, Mirza Gulam are kaafir. In this there is no doubt and no dilly dallying. The Qadianis must know our stand. The Muslims must know who are the Qadianis. The Qadiaanis--all of them--are kaafir.

sodomy

Among the vilest of immoralities is the unnatural form of sex known as sodomy. Islam has reviled the evil of homosexuality in the strongest of terms. Homosexuality is far graver than fornication. Rasulullah (sallallahu alayhi wasallam) said that all the *malaa-iikah* (angels) of the seven heavens invoke *la'nat* (curse) on the one who practises sodomy. Allah Ta'ala does not bestow His Gaze of Rahmat on this type of *mal'oon* (accursed).

Notice Get the Facts on GRAVE-PUJARIS From Us

A fundamental aspect of the *Qabar Pujaari Bid'atis* is to cloud the truth with deception, distortion and falsehood in their desperate attempts to lure unwary Muslims into the camp of *Bid'ah* so that their monetary coffers can swell.

Six months after the debate in Uitenhage, the Qabar Pujaris have come out with their feverish falsehood in order to gain some credibility. It is not at all our intention to bring this paper, The Majlis, to the low and gutter level along which the "literature" of the grave-worshippers operates. We thus will not engage them in the *jahl* in which they are anchored. Men of intelligence and all reasonable will undoubtedly experience spiritual nausea in reading the deplorable drivel of the Qabar Pujaris.

The purpose of this NOTICE is to merely advise all those who are not aware of the background of the debate in Uitenhage as well as the facts surrounding the flight of the grave-worshippers, to write to The Majlis for the following:

- (1) Vol.5 No.3 of The Majlis
- (2) Vol.5 No.4 of The Majlis
- (3) The tape-recordings of the second night of the debate (We do not have the recordings of the first night, however, we are making attempts to obtain same).
- (4) The Bid'ati Jamaat's tapes of both nights' debates. We have in our possession the tampered and fraudulent tapes which the Qabar Pujaris have released to some persons.

A dispassionate study of the abovementioned items will reveal the truth. Was-salaam.

EXEMPTION FROM DEFECTS

According to the Hanafi Madhab it is permissible to sell an article on the condition of "Exemption from all defects", i.e. "as is" - with faults and all. If the purchaser agreed to this condition, he will not be entitled to return the goods on the grounds of it being defective.

The Shafi Madhab disallows this, stating that it is necessary to enumerate all the defects of the commodity offered for sale. A general "exemption from all defects" will not be lawful according to the Shafi Madhab.

MAHR-E-FATIMI

To calculate the value of Mahr-e-Fatimi multiply 49, 21 by the price of silver per troy ounce.

The value of Mahr-e-Fatimi during the month of Shawwaal, 1402 (August, 1982) was approximately R400.

NECESSITY OF CONSTANT ZIKR

HE WHOSE LAST SPEECH IS 'LAA-ILAAHA IL-LAL-LAAH'

WILL ENTER JANNAT.

(Rasulullah-sallallahu alayhi wasallam)

The Mu'min has been sent to earth primarily to make the Zikr of Allah Ta'ala. In fact the Remembrance of Allah was the Divine Motivation underlying the creation of man and jinn. All else is subservient to this Divine Purpose. A Muslim, therefore should not permit any mundane activity to preclude him from the Remembrance of Allah. Throughout life the Mu'min has to engage in Zikrullah. This is an absolute necessity to ensure that his soul departs from this ephemeral existence with LAA-ILAAHA IL-LAL-LAAH. In order to achieve the great blessing stated by Rasulullah (sallallahu alayhi wasallam) in the Hadith cited above, it is imperative that the Believer maintain his tongue fresh with the Zikr of Allah.

While walking and sitting; at work and in business; at home and on the road; inside the Masjid and outside; standing and lying down - in all circumstances and on all occasions the Believer MUST engage his tongue and heart in the Remembrance of Allah. In this regard the Zikr of "LAA-ILAAHA IL-LAL-LAAH" is most excellent. Besides this form any other form of Zikr may be employed.

The Sahaabah too had occupations and businesses, but they were never neglectful about Zikrullah. It is for this reason that Allah Ta'ala speaks so highly of them in the Quraan Shareef. He says:

"They (the Sahaabah) are such men whom neither trade nor business divert from the Zikr of Allah . . ."

Therefore, even whilst engaged in your mundane occupations make the Zikr of Allah constantly until the habit of Zikr is inculcated in you. When constant Zikr has become your habit then even while sleeping and even in the state of unconsciousness you will be engaged in Zikr. It is essential that you inculcate in you the permanent habit of Zikr so that the LAST SPEECH ON YOUR TONGUE AT THE TIME OF YOUR MAUT (DEATH) WILL BE:

"LA-ILAAHA IL-LAL-LAAHU MUHAMMADUR RASULULLAH"

**Recite Ayatul Qursi
morning and evening.
It is your protection
against theft and fire.
Besides being a guard
for you, Ayaatul Qursi
Brings Barkat in your business
as well.**

AN EPISODE ABOUT

KHIZR

Hadhrat Shaikh Abu Imraani Waasti (rahmatullah alayh) narrated the following episode:

"I set off from Makkah Muazzamah with the intention of making *ziyaarat* of the qabr of our Nabi (sallallahu alayhi wasallam). When I had reached beyond the confines of the Haram Shareef I was overtaken by great thirst. I was gripped so much by thirst that I gave up hope of remaining alive. In anticipation of death I sat under a tree.

Suddenly I saw a rider on horseback approaching me. His horse was green in colour. The saddle, the reins and the stirrups were all in green. The garments on the rider and his weapons were all green in colour. He presented me a green cup containing a green liquid. He instructed me to drink of it. I drank thrice from it, but the quantity of the liquid did not decrease.

He then asked me about my journey and I replied that I am off to Madinah Munawwarah to present my Salaams to Rasulullah (sallallahu alayhi wasallam) and his two Companions (radiallaahu anhumaa). He thereupon said:

"After you have presented your Salaams at Madinah Munawwarah then convey my Salaams as well and say: Ridhwaan sends his Salaam."

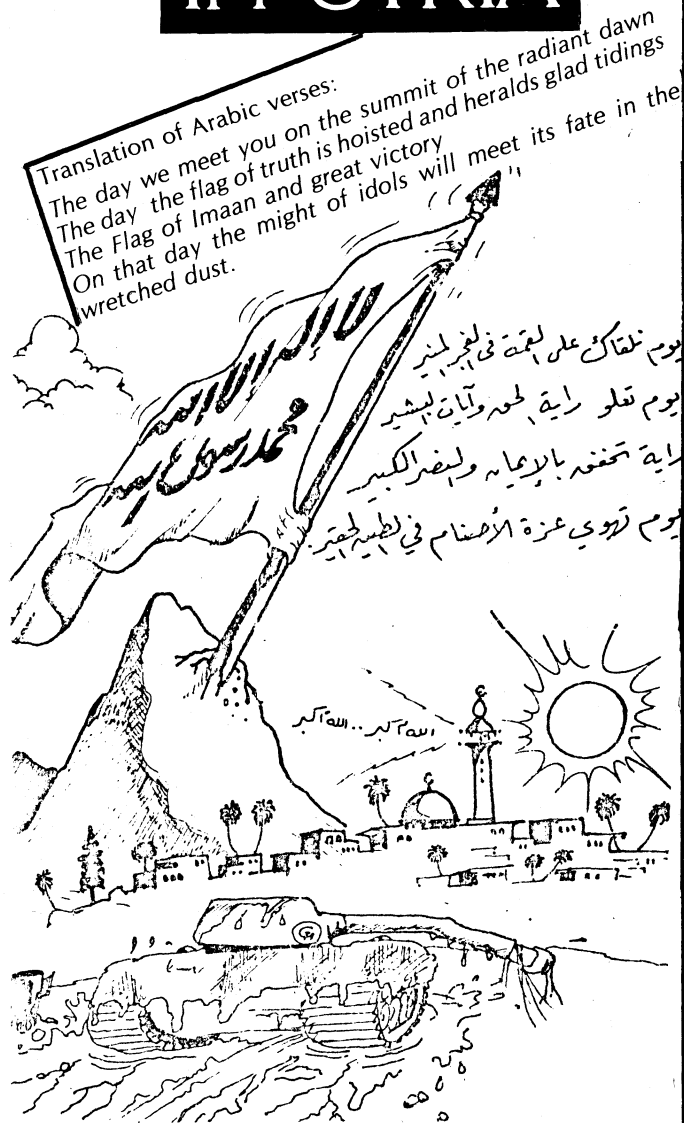
NAZHATUL BASAATEEN

[The man in green was Hadhrat Khidhr--alayhis salaam--Editor]

THE CONSEQUENCES OF SIN:

- * Deprivation from true knowledge.
- * Reduction in "Rizq" (sustenance - earnings).
- * Terror at the Remembrance of Allah.
- * Fear for pious people.
- * Impurification of the heart.
- * Hardening of the heart.
- * No desire to offer "taubah" (repentance).
- * Defect arising in the intellect.
- * Elimination of modesty and shame.
- * Elimination of Allah's greatness from the heart.
- * Snatching away of Allah's bounties.
- * Settling of misfortunes.
- * Settling of shaitaan over the sinner.
- * Destruction of peace of mind.
- * Losing hope in the Rahmat of Allah.

JIHAD IN SYRIA



ASSAD-ISRAELI PLOT

(AN-NAZEER, Voice of the Syrian Mujaahideen)

The history of the Arab -Israeli struggle during the last thirty years has witnessed a series of conspiracies, connivances, weaknesses and failures. Some of these conspiracies were exposed while others yet remain secret. What is happening today in Lebanon, viz., the Israeli invasion, is a qualitative jump in the history of this struggle.

The conspiracy now is quite clear. All the conspirators have declared their aims and intents. The results of the conspiracy appear in every child killed with Israeli bullets and with every warrior stabbed from the back with the spears of the treacherous Syrian regime.

A deep study and true analysis of the situation today in Lebanon and of what happened in the city of Hama four months ago will reveal many facts. We mention only two because of their importance:

First: Both the Syrian regime ((of Assad) and the Zionist state have in common a single aim which serves the cause of Zionism and the Colonial powers. That aim is to root out all forms of armed forces which defend their people, homeland and religion and which constitute a great obstacle for any plot.

Israel realizes—as it has declared many times—that the greatest single obstacle in its path is the P.L.O. because it can threaten Israel in spite of the fact that the P.L.O. is confined to a small geographical area. In addition it is besieged and material and spiritual pressure is applied to it. Most of this pressure is applied by Syria, especially by its forces in Lebanon. Moreover, Israel realizes that the P.L.O. because of its military existence and political independence can expose and thwart conspiracies of surrender—overt or covert. Israel is therefore, prepared to eliminate the Palestinian Resistance.

On the contrary, the Syrian regime realizes that it has never faced a dangerous defiance except the Al-Mujaahideen carrying arms in Syria. It realizes that the Mujaahideen have the capability of channelling the opposition of the patriots into a true and mass struggle against the regime of Assad. In truth all classes of people in Syria have become the mortal enemy of the malicious and evil group of Assad.

From the afore-stated facts, the alarm, horror and consternation of Assad will be understood. This further explains the terroristic methods of barbarity employed by Assad against the members of the Muslim Brotherhood. Assad fears and knows that every member of the Muslim Brotherhood will ultimately carry arms and become a Mujaahid.

SECOND: Another common factor between the Syrian regime of Assad and the Zionist state is their savage and brutal ways of killing, murder, pillage, plunder and torture. What the Syrian regime perpetrated in Hama is beyond imagination. Assad used his cannons, planes, tanks and rockets to bomb the city indiscriminately. The havoc he wrought is most revolting and heart-rending. He slaughtered thousands of innocent children, women and aged people. He even utilized poisonous gases against an innocent populace. Such savage methods are normal to the Zionist methods now being used in Lebanon—especially the employment of all forms of heavy weaponry to destroy civilian centres of habitation. These methods of destruction are common to both Assad and Zionism. At least ten thousand were murdered in Hama—the number may reach thirty thousand. Eight thousand were murdered in Lebanon, most of them unarmed civilians.

The phenomenon of mass destruction has a clear interpretation and analysis: the Syrian regime—represented by the sectarian clique of Assad—and the Zionist state both share in the inherited venom which fills their hearts with hatred for the Arabs and Muslims. They suffer under the impression that collective and mass murder of the people will extinguish the spirit of defiance.

Let us revert to the clarity of the conspiracy. We have seen how the Syrian has refused and refuses to fight alongside the Palestinians and the Lebanese during the days of the war. The Syrian regime declared impudently that it is not ready to fight except in places where its safety is threatened although in the past, Assad has all along claimed his readiness to protect the Palestinians and the Lebanese.

We said earlier that the conspiracy between Assad and Zionism is this time characterized with clarity to the extent that both sides have officially declared their aims. Therefore, there was no need to enact any dramatic scene or international game. Israel no longer has any concern for the feelings of the Arabs. Also, Assad has become accustomed to treason and this is known to all Arabs. He no longer cares for the Arabs.

Arab silence in the face of such treasons and conspiracies is the cause of this impudence shown by Assad. The Arabs maintained silence when Assad destroyed Hama and butchered its people.

Assad endeavours to conceal his treason behind a facade of military operation do not change our attitude towards him for three reasons:

- (1) It is our belief that a traitor cannot change himself in a day and become a faithful patriot and defender of his home and nation. Our assertions regarding his treason are no mere imagi nation. We believed that he was a traitor a long time ago. He surrendered the Goolan Heights in 1976.
- (2) Assad declared that he will not defend Lebanon this time, but he would defend his cartoon missiles in Bika.
- (3) Assad and Begin boasted of dramatic battles between the Syrian Forces and the Israeli enemy. This boast is of clear significance. They boasted of such huge air battles the world has never witnessed before. In fact, the 'war' between them was only through the media.

We suspect Assad of conspiring to have the Syrian Army massacred because (1) Assad intends to paralyse the Syrian Army to weaken the Syrian people so as to ensure that Israel remains the strongest in the region; (2) In this way Assad will try to convince the Arabs that we are not as strong as Israel, hence we should accept the will and conditions she imposes on us.

Since the conspiracy of Assad and Begin is quite clear, the way of foiling it is also quite clear: Arabs and all Muslims must expedite their support and aid for the Lebanese and Palestinians. Such support will thwart the conspiracy against the Lebanese and the Palestinians. Assad will then not be permitted to falsely appear as the only fighter in the arena.

The Syrian people and its Mujaahideen will never renounce their aim, viz., to eliminate this traitor regardless of the sacrifices which will have to be made. Eliminating him is the only way of ensuring that Syria becomes powerful and capable of protecting the Palestinians.

VICTORY AND TAQWAA

IN the Battle of Yarmuk when Hadhrat Umar (R.A.), the then Ameerul Mu'mineen, received a request from the front for reinforcements, he wrote to the commander of the army:

"Your letter requesting reinforcements from me has reached me. Verily, I shall show you a Being Who is the most powerful of helpers and the best of armies. He is Allah, The Majestic, The Powerful. Therefore, seek aid from Him, for verily, Muhammad (sallallaahu alayhi wasallam) was aided on the Day of Badr when his number was inferior to yours. Now when this, my letter reaches you then vigorously attack the enemy and do not refer to me in this matter."

(Musnad Of Imaam Ahmad)

The narrator of this Hadith states that when this order from Hadhrat Umar (R.A.) was received, the Muslim army made a sudden vigorous assault on the numerically superior army of the kuffaar and decisively defeated it. Hadhrat Umar (R.A.) had full knowledge of the fact that victory and defeat of Muslims are not the result of numerical superiority and inferiority. Victory of the Muslim army is dependant on "taqawul" (Trust in Allah), "taqwaa" (piety) and aid from Him.

Khutbah and Silence

IT is essential - compulsory - to listen attentively and silently to the Juma' Khutbah being recited. It is not permissible to talk, recite or engage in any other Ibaadat while the Khutbah is being recited. While the Khutbah is being recited, Nafl or Sunnat Salaat should not be commenced. However, Salaat already commenced could be completed while the Khutbah is in procession.

In some places it is the habit of people to recite aloud Durood when the Khatib recites the name of Rasulallah (sallallaahu alayhi wasallam) in the Khutbah. This practice is not lawful. While the Khutbah is being recited it is permissible to "recite" in the mind Durood at the mention of Rasulallah's (sallallaahu alayhi wasallam) holy name. It is not permissible to do so with the tongue. This is the Law of the Shariah governing the Khutbah.

"After me will come leaders who will not be guided by my guidance nor will they practice according to my Sunnah. Among them will rise men - their hearts will be the hearts of shayaateen in bodies of human beings."

Rasulullah (sallallaahu alayhi wasallam).

KNOWLEDGE

RASULULLAH SAID . . . (Sal Laal Laahu Alahi Wasal Lam)

* He who acquires (Islamic) Knowledge with the object of gaining worldly benefit will not smell the fragrance of Jannat.

* Allah will assign to Hell him who acquires knowledge with the object of disputing with the Ulama, creating doubt among the ignorant and attracting people's attention to him with his glib tongue.

* He who acquires Knowledge with the object of attracting the hearts of men to him and in order to gain worldly benefit from them, neither his Fardh nor his Nafl Salaat will be accepted on the Day of Judgement.

* A man will be sent into Hell. His belly will burst open with his entrails dangling out. He will circumambulate his entrails like a donkey going around a grinding stone. The inmates of Jahannam will gather around him and ask in surprise . . . what is this? This man was very learned and used to give us sermons. What has happened to him today? The man will reply that he was not acting according to what he was preaching. (May Allah Ta'ala in His Infinite Mercy save us, Ameen.)

* The Alim who instructs others but does not himself practice (on what he preaches) will have his lips cut with scissors (on the Day of Qiyaamah).

* The greatest evil (sharr) are the evil Ulama (Ula-ma-e-soo').

* The example of the Alim who does not act in accordance with his Knowledge is like a lamp emitting light to others, but remains itself burning.

* A single Faqih is more difficult on Shaitaan than a thousand Aabids.

HALAAL CONSUMPTION

HADHRAT Ibraahim Adham (rahmatullaah alayhi), one of the greatest of Auliya who appeared on the firmament of Islamic sainthood once said to a man:

"Do you wish to become a Wali (Saint)?"

The man replied in the affirmative and Ibraahim Adham (R.A.) said:

"Direct your full attention to Allah; divert your attention from everything besides Allah; eat from Halaal (lawful and wholesome nourishment). You will attain the rank of sainthood then, even if you do not remain awake by night in prayer nor fast by day."

(Prayer and fasting here refer to Nafl (optional) Salaat and Fasting.)

"Only he who knows what he is eating attains the lofty ranks of sainthood."

(i.e. Sainthood can be achieved only through eating what is Halaal.)

Shadow of Sunnah

WALK IN THE
SHADOW OF THE
BOOK OF ALLAH AND
THE SUNNAH OF
RASULULLAH
(sallallaahu alayhi
wasallam) AND YOU
WILL ATTAIN SALVA-
TION.

(Hadhrat Sayyid Abdul
Qadir Jilaani - R.A.)

A LIGHT

ABDULLAH Ibn Umar (R.A.) narrates that while Rasulallah (sallallaahu alayhi wasallam) was once discussing about Salaat he said:

"On the Day of Qiyaamah Salaat will be a Light, a Proof and a means of deliverance for the one who guarded it (Salaat). And, he who does not guard Salaat will have no Light, no Proof and no Salvation. On the Day of Qiyaamah he (the one who did not guard his Salaat) will be with Fir-oun, Haamaan and Ubayy Bin Khalaf."

Ibn Hajar, while quoting this Hadith, has also mentioned Qarun with Pharaoh and others. He writes: "Sharing the fate of these people on the Day of Judgment is due to the fact that it is often the pursuits of these guilty persons which cause neglect of Salaat. If, therefore, a person neglects Salaat due to a craving for wealth, he will meet the fate of Qarun; if due to love for sovereignty, then that of Pharaoh; if due to a yearning for attachment with a sovereign then that of Haman; and if due to occupation in trade then that of Ubayy bin Khalaf." Meeting the same fate as theirs explains fully the bitterest tortures in store for those who neglect Salaat. Although the disbelievers shall have to suffer their doom for ever while the believers will be released after their period of punishment is over and will ultimately be allowed to enter Paradise, yet this period of punishment, who knows, may last for thousands of years.

MUJLISUL ULAMA ZAKAAT ORGANIZATION OF SOUTH AFRICA

ZAKAAT QUESTIONS

- Q.** A husband owes his wife R1000 for Mehr. In calculating his Zakaat is the debt of Mehr deductible like all other debt. For example, his Zakaat-taxable goods amount to R5000. He owes his creditors R3000 and his wife R1000 for Mehr. Shall he deduct the sum of R4000 from his Zakaat-taxable assets of R5000 and pay Zakaat on the balance of R1000?
- A.** The debt of Mehr is not deductible from Zakaat-taxable assets. In this example Zakaat will be payable on R2000.
- Q.** Is Zakaat to be paid on the wealth of a minor?
- A.** According to the Hanafi Madhab Zakaat is not levied on the wealth of a minor. Adulthood is a condition for the levying of Zakaat. According to the Shaafi Madhab Zakaat will be levied on the wealth of a minor.

(Mujlisul Ulama Zakaat Organization of S.A.)
P.O. Box 3393, Port Elizabeth.

Your Zakāt — our Condition of Acceptance

The prime purpose of the Mujlisul Ulama Zakaat Organization is to guide Muslims in their Zakaat affairs. Our aim is not to be a money-collecting organization. However, where Muslims find that they are not able to distribute their Zakaat funds in accordance with the Shariah, they may then divert their Zakaat payments to us. To assist us in this task and to lighten the responsibility for us we stipulate the following condition for the acceptance of Zakaat funds diverted to us for distribution:

WHEN FORWARDING ZAKAAT TO US, DO MAKE THE NIYYAT (INTENTION) OF MAKING THE MUJLISUL ULAMA ZAKAAT ORGANIZATION YOUR FREE AND UNFETTERED WAKEEL (REPRESENTATIVE) IN THE DISTRIBUTION OF YOUR ZAKAAT.

This niyyat by you will enable us to distribute your Zakaat in accordance with the Shariah in a manner that will make it easy upon us to effect the distribution. Do remember that the effect of making this niyyat (as outlined above) will permit us full and unfettered control and freedom to distribute within the Shari' Zakaat categories in a manner, time and amount as we deem fit.

PLEASE NOTE THAT WE SHALL ACCEPT YOUR ZAKAAT FOR DISTRIBUTION ONLY ON THIS CONDITION. If you cannot agree to this condition, please do not forward your Zakaat to us for distribution. You may in that case divert your Zakaat elsewhere for distribution.

THE ZAKAAT ORGANIZATION OF ISLAM

THE Mujlisul Ulama Zakaat organization of South Africa has been established for the pure purpose of administering your Zakaat affairs in accordance with the Shariah.

A host of Islamic rules and regulations are related to levying, collecting and distributing of Zakaat. The obligation of Zakaat will not be discharged if these functions are not executed in terms of the Quraan and the Ahaadith.

SADAQATUL FITR is the compulsory charity which becomes payable on the occasion of Eidul Fitr.

- * Zakaat is payable on "Qardh", i.e. monies owing to you for either goods or cash advanced. When such monies are received Zakaat will be payable on as many years as these monies were outstanding. For example: If the amount owing to you was repaid after five years, Zakaat on this amount will be payable for five years. The debt of Mehr (dowry) is excluded from this rule. If the wife receives her mehr after a number of years, she will not have to pay Zakaat for the past years.

- * According to the Hanafi Madhab it is permissible to pay Zakaat in advance for a number of years if the Zakaat-payer happens to be "Maalikun Nisaab" (the owner of Nisaab which in current value is approximately R147). However, if he donates money with the intention of it being Zakaat while in actual fact he is not "Maalikun Nisaab", then such donation will not be regarded as Zakaat. It will be a Nafi (voluntary) charity. When he becomes the owner of Nisaab he will have to pay Zakaat. According to the Shaafi Madhab advance Zakaat could be paid for only one year.

SADAQATUL FITR.

RULES OF SADAQATUL FITR

- * Sadaqatul Fitr (or Fitr) is Waajib (compulsory) upon all Muslims - male, female and children who on the Day of Eidul Fitr are owners of the Nisaab of Zakaat, i.e. approximately R147 which is the current price of 19,6875 troy ounces of silver. (Hanafi Mazhab). According to the Shafi Mazhab, Fitr becomes obligatory, if one has sufficient food for one's household for one day and one night (twenty four hours). Thus, even if one is not the owner of the Zakaat Nisaab value, Fitr will yet be compulsory according to the Shafi Mazhab.
 - * According to the Hanafi Mazhab, the Fitr becomes Waajib when the Day of Fitr dawns with the commencement of Fajr time. Therefore, if someone died before entry of Fajr on the Day of Eid, Fitr will not be paid out of his (the deceased's) estate, since this Fitr is not Waajib on him. And, if a child is born before the rising of Fajr, Fitr will be paid on his behalf. If the child is born after the entry of Fajr (on the Day of Eid), Fitr is not Waajib on his behalf.
 - * According to the Shaafi Mazhab, Fitr becomes incumbent with the commencement of the Night of Eidul Fitr, i.e. immediately the sun sets on the last day of Ramadhan. Thus if someone dies after sunset on the last day of Ramadhan (i.e. the first night of Shawwaal) Fitr shall be paid out of his estate. And, Fitr will not be Waajib upon a child born after sunset of the last day of Ramadhan.
 - * According to the Hanafi Mazhab, the father has to pay the Fitr on behalf of his under-age children, i.e. those who have not attained the age of puberty.
 - * According to the Hanafi Mazhab, it is not obligatory upon the husband to pay Fitr on behalf of his wife. If she is the owner of Nisaab, she shall have to pay her own Fitr.
 - * According to the Shafi Mazhab, it is obligatory upon the man to pay the Fitr on behalf of his minor children as well as his wife.
 - * If a minor is the owner of wealth to the amount of Nisaab, then payment of Fitr on behalf of the minor could be made from out of his (minor's) wealth. This is according to both Hanafi and Shaafi Mazhab.
 - * The Fitr should preferably be paid before the Eid Salaat.
 - * It is not permissible to delay the payment of Fitr later than the Day of Eid. However, if it was not paid on the Day of Eid or before, the obligation remains and the Fitr will have to be paid.
 - * It is permissible to pay the Fitr in advance at any time during the month of Ramadhan. This is according to both Hanafi and Shafi Mazhab. However, according to the Hanafi Mazhab, the Fitr could be paid even before Ramadhan whereas according to the Shafi Mazhab, payment of Fitr before Ramadhan is not valid.
 - * Sadaqatul Fitr is Waajib upon all those who fasted as well as those who did not fast for some reason or other. This is according to both Hanafi and Shafi Mazhab.
 - * The approximate amount for Fitr today is R1, 50
 - * The Fitr can only be paid to "the poor" - those who are entitled to accept Zakaat.
 - * Fitr cannot be utilized in any charitable purpose other than the poor. Therefore, if Fitr monies are accumulated and then spent on some other charitable cause, the Fitr obligation of the Fitr-payers will not be discharged.
- RASULULLAH (sallallahu alayhi wasallam) SAID: "THE FAST REMAINS SUSPENDED BETWEEN HEAVEN AND EARTH UNTIL THE FITRAH IS PAID."
- This Hadith of Rasulullah (sallallahu alayhi wasallam) illustrates the importance of the Fitr and its direct bearing on the acceptance of our Saum (Fasting). The Fast is only presented for acceptance by Allah Ta'ala when the obligation of Fitr is correctly discharged. The Muslim public should therefore be very scrupulous when effecting payment of the Fitr. If the Fitr is misused or wrongly distributed by the representatives of the public, the public will still be responsible for its (Fitr's) fulfilment. The Mujlisul Ulama, therefore, advises all Muslims to rather distribute their Fitr themselves. Find some poor in your locality and hand your Fitr to them. If, however, you are unable to do so, then get in touch with the Mujlisul Ulama Zakaat Fund of South Africa, P.O. Box 3393, Port Elizabeth, and we shall assist you in the correct Islamic disbursement of your Fitr.

Zakāt Wasiyyat

IT IS incumbent upon a person who is in the last stages of his life to make wasiyyat for unpaid Zakāt. Once such wasiyyat was made, it devolves as an obligatory duty (Wajib) upon the inheritors of the mayyit's estate to pay the deceased's Zakāt out of his estate. However, the wasiyyat of paying Zakāt will be valid only in one third of the estate. If the outstanding Zakāt is equal to more than one third the estate, it will not be incumbent upon the inheritors to pay the amount in excess of one third the estate. For example, if the mayyit's outstanding Zakāt is R1 000, but one third of his estate is R800 then upon having made wasiyyat, it will be obligatory on the inheritors to pay only R800 in Zakāt and not R1 000 (the actual Zakāt outstanding). However, should the adult inheritors of their own free will agree to pay the balance of the Zakāt out of their own (the adults') shares, it will be permissible and meritorious.

FLUCTUATIONS IN NISAAB

THE payment of Zakaat becomes compulsory after twelve Islamic months have passed since the time one became "Maalikun Nisaab" (or the owner of the Nisaab - Value).

One will become the owner of Nisaab once one owns the amount of R147 in the form of Zakaat taxable assets (see elsewhere on this page for Zakaat-taxable assets).

● Decrease of wealth to less than Nisaab during the course of the twelve months will not affect the validity of Nisaab. Thus, if one was the owner of Nisaab on 1st Rajab (for example) and during the course of the year one's wealth decreased to less than Nisaab, but on 1st Rajab of the following year (i.e. after twelve Islamic months have passed by) one has wealth to the value of Nisaab then the Nisaab will be considered to have been intact throughout the twelve months. One will thus be liable for Zakaat payment. This is according to the Hanafi Mathab. The position according to the Shaafi Mathab is as follows:

If the Zakaat-taxable wealth happens to be gold and silver, the full twelve-month period will be taken into consideration for the validity of Nisaab. It is necessary that the Nisaab weight (2¼ troy ounces) of gold remained intact throughout the twelve months. If the weight decreased to less than the Nisaab-weight then the twelve-month period will be reckoned from the time the gold again attains Nisaab-weight. If the Zakaat-taxable wealth is merchandise (goods obtained for the purpose of reselling for profit) the end of the twelve-month period will be considered for the validity of Nisaab. Hence, if for example, on the 10th Shabaan one obtained merchandise for R100 (which is less than Nisaab), but on 10th Shabaan of the following year the amount of merchandise is R250 (for example) then Zakaat will be

payable on it even if the value of the merchandise remained below Nisaab-value throughout the year. (R250 is more than Nisaab).

Example:

"A" purchases some goods for reselling at a profit. The value of the goods is less than Nisaab (for example R100). "A" sells these goods and again buys goods for another R100. He sells this second lot and again purchases goods for R100. He continues thus - buying and selling goods valued at less than Nisaab - but just before the expiry of the twelve months he has merchandise valued at R200 (Nisaab or more than Nisaab) in his possession. He is now liable to pay Zakaat on this stock-in-trade according to the Shaafi Mathab since it will be regarded as if twelve months have passed over Nisaab. The last day of the twelve-month period will be considered for the validity of the Nisaab of merchandise in the Shaafi Mathab.

● According to the Hanafi Mathab, the beginning and the ending of the twelve-month period will be taken into consideration for the validity of the Nisaab of all forms of Zakaat-taxable wealth. Providing that the Zakaat wealth is not totally lost or depleted, decreases to less than Nisaab-value during the course of the twelve-month period will not be taken into consideration.

Example:

The current Nisaab is approximately R147. On 15th Muharram, Zaid had Zakaat-taxable assets valued at R200 which is more than Nisaab. During the course of the year the value of his Zakaat-taxable assets decreased to R100 which is less than Nisaab, but on the 15th Muharram of the following year the value of his Zakaat-taxable assets was R300 which is more than Nisaab. The Nisaab is valid and it will be regarded as if Zaid was "maalikun nisaab" (the owner of Nisaab) for the full twelve months.

Zakaat-Taxable Wealth

The following are the types of wealth on which the Shariah levies Zakaat:

- (1) Gold and Silver in whatever form (jewellery, utensils, bullion, etc.)
- (2) Merchandise, i.e. goods procured for trade purposes (to sell).
- (3) Cash
- (4) Bank Savings
- (5) Livestock

Current Nisaab of Zakaat R147 (approx.)

Shawwal, 1402

Aug. 82

Zakaat and the Solar Year

Zakaat is an Islamic institution which is a Fardh Ibadat of fundamental importance. It is one of the fundamentals of Islam. There is no distinguishing between the two fundamentals, viz Salát and Zakaat, in so far as importance is concerned. Islam has attached a host of laws to this institution of Zakát. Like Salát, it is a great and an independent Ibadat which will be discharged only if the Shari' rules relevant to it are fulfilled. Zakát being a strictly Islamic Ibadat, cannot be hinged onto worldly considerations which interfere with the correct discharge of this obligation. It is not to be made a secondary institution merely because of inconveniences caused to us by the laws of finance and economics of the kuffár. Here we refer to the 'Nisáb Time'. Zakát becomes payable after twelve Islamic months have passed upon the attaining of the Nisáb value. Regarding this time-period, we say that the solar calendar or the Christian calendar does not suffice. It is essential that the Islamic calendar – or twelve Islamic months – be counted regarding the time-period of the Nisáb.

SUGGESTED

In certain quarters it has been suggested that the Christian calendar too will be valid providing that 4% is added to the stock-figure obtained from the stock-taking after twelve solar months (see Zakát Questions on this page). Stock-taking is usually effected at the end of the financial year (which is after twelve Christian months) for income tax purposes. Muslim businessmen, therefore, employ these figures in the calculation of their Zakát, the argument being that it is too difficult to have two stock-takings – one for income tax and one for Zakát. The suggested addition of 4% to the stock-figure, is, ostensibly, to 'rectify' the discrepancy which occurs as a result of the 11 day longer Christian calendar. However, in actual fact, the discrepancy is not rectified by adding 4%. In fact, a number of serious discrepancies will result if the Christian calendar is employed for Zakát purposes. Hereunder we explain a few such serious discrepancies.

(1) The Shariah does not apply Zakát tax to a part of the year. Zakát is payable for only full-year units. Hence, if Zakát has not been paid for two years, for example, then the only way of discharging the obligation is to pay Zakát for two years. If after two years and one month (for example) one decides to pay the past Zakát, one will be liable for two years' Zakát and not for two years and one month, part of the year not being considered.

(2) The addition of 4% resembles a penalty for late payment. But, the Shariah levies no penalty for late payment of Zakát.

(3) Assuming that stock is taken 18 months after having attained Nisáb, it will mean that the stock-figure has to be inflated by 50% since 6 months is 50% of the year, but this is

manifestly wrong. If stock is taken only after two years, it will mean that the stock-figure will have to be inflated by 100%, which is obviously not correct. If Zakát has not been paid on a sum for two years, three years, etc. then Zakát will have to be paid for all the outstanding years on that specific sum without inflating the amount. For example, if one is in possession of R1000 today, Zakát will have to be paid on it twelve Islamic months hence, if upon expiry of the twelve months one still remains the owner of the Nisáb-value. Let it be assumed that the R1000 remained constant (as savings) for three years. Zakát will be paid now for three years on the R1000 without inflating the amount by 300% (for the three years) and paying Zakát on R3000 for three years.

(4) If, for example, stock is taken only after two years and the figure for the stock is R5000 at this stock-taking. But, the amount of stock at the end of the first year was R2000. According to the '4% addition' theory, the amount of stock will have to be increased by 100% since the stock was taken after two years. It will follow that Zakát should be paid on R10000 whereas in actual fact Zakát will have to be paid on only R7000 (R2000 for the first year and R5000 for the second year).

(5) At the end of the Islamic twelve months Mr Zaid had stock, cash and other Zakát-taxable wealth for the sum of R20 000, but as yet he did not effect stock-taking because the financial year for income tax purpose has not yet ended. Eleven days after the expiry of the Islamic year, Mr Zaid takes stock on the 28th February and finds that his stock and other Zakát-taxable assets amount to R30 000. Now according to the '4% increase' theory, the amount of R30 000 will have to be increased by 4%, giving a total of R31200 on which Zakát have to be paid, i.e. according to the '4% increase' theory. However, according to the Shariah, Zakát should be paid on only the amount owned at the end of the Islamic year, which in this example is R20 000. The additional R10 000 by which the R20 000 was augmented in the succeeding 11 days are exempt from Zakát. Zakát will be payable on the additional R10 000 only at the end of the next twelve Islamic months, and that too if at the end of that period this amount remains in the form of Zakát-taxable assets. If during the course of the year this amount was lost, utilized or converted into non-Zakát wealth, e.g. motor car, building, furniture, etc., then Zakát will not be payable on it.

(6) At the end of the Islamic twelve months Mr Amr had Zakát taxable assets for the amount of R2000, but as yet he did not take stock. Eleven days after (i.e. at the end of the financial year) he takes stock and discovers that due to some misfortune his Zakát-taxable assets were reduced to below Nisáb. In this case, Mr Amr will not be liable for Zakát according to those who accept the Christian calendar for Zakát calculating purpose. But, according to the Shariah he is liable for Zakát on R2000 because at the end of the Islamic twelve months he was the owner of Zakát wealth for the sum of R2000.

(7) At the end of the Islamic year Mr Bakr had Zakát-taxable assets for the amount of R10 000, but as yet he did not take stock. Eleven days thereafter he takes stock. Within the course of the succeeding eleven days he had incurred debts for R4000. Now, according to those who accept the Christian calendar as valid for Zakát purpose, Mr Bakr will have to pay Zakát on only R6000 since according to the Shariah debts are deductible from Zakát-taxable assets. But, in actual fact Mr Bakr must pay Zakát on R10 000 because the debts were incurred only after his Zakát became due on the R10 000, hence, the debt of R4000 cannot be employed to offset Zakát payment in that sum.

(8) At the end of the Islamic year Mr Ahman had Zakát-taxable wealth for the amount of R100 which is below Zakát. A week thereafter he obtains by way of inheritance R20 000. At the end of the financial year which occurred eleven days after the Islamic year, Mr Ahmad's Zakát-taxable assets amounted to R20 100. According to the '4% increase' theory, Mr Ahmad has to pay Zakát on R20 100 plus 4%. However, according to the Shariah he does not have to pay even one cent Zakát. He is not at all liable for Zakát on the R20 000 since he did not own it at the termination of the twelve Islamic months.

(9) At the end of the Islamic year Mr Qasim had R8000 worth of Zakát-taxable wealth but as yet he did not effect stock-taking. At the end of the financial year (which occurred eleven days after the Islamic year) he takes stock and finalises his accounts. During the course of the eleven days following the Islamic year (i.e. prior to stock-taking) Mr Ahmad converts R6000 of his Zakát-taxable wealth into non-Zakát assets, e.g. he purchased a motor car. Now according to his final figures realised after stock-taking the sum of R6000 will no longer reflect as Zakát-taxable assets which will be an amount decreased by R6000, plus the suggested 4% increase on the stock-figure. But, according to the Shariah he is liable to pay Zakát on the R6000 as well despite it having been converted into a non-Zakát asset because the conversion was effected after the Zakát became due on the amount.

(10) At the end of the first twelve Islamic months Mr Zaid in actual fact had R25 000 stock, but his debts amounted to R25 000. Mr Zaid never took stock after the twelve Islamic months nor did he do so at the end of the financial year. The true position according to the Shariah is that Mr Zaid is not liable for Zakát because his debt eliminates his Zakát-taxable wealth. At the end of the following financial year Mr Zaid takes stock and finds that his stock is R20 000 and his debts R5000. According to the 'increase' theory he is liable for Zakát on

R15 000 plus an increase of 100%, i.e. he has to pay Zakát on R30 000 because now the stock has not been taken 11 days after the Islamic year, but one year after the Islamic year. However, in actual fact, according to the Shariah, he has to pay Zakát on only R15 000 (if this was the position of his Zakát assets at the end of the second Islamic year).

(11) The theory to be employed in the event of stock being taken according to the solar calendar posits a 4% addition to the Zakát-taxable assets as at the end of the financial year calculated in terms of twelve Christian months. This percentage according to the theory remains constant, i.e. at the end of each successive solar year 4% will be merely added to the figures and Zakát levied on the total sum. This presents an unreal situation, for the percentage remains constant whereas the Islamic year in relation to the Christian year recedes by approximately 11 days (or the approximate 4% posited in the theory). In terms of the theory, the logical conclusion should be a successive increase of approximately 4% (3.1% to be more exact) per solar year since at the end of the first Christian year, the Islamic year would have lapsed by 11 days; at the end of the second Christian year, the Islamic year would have lapsed by 22 days, hence in terms of the 'increase' theory, the stock-figure will be inflated by 8% (6.2% to be exact); at the end of the third Christian year, the Islamic year would have receded by 33 days, hence in terms of the theory, the Zakát-taxable figure will have to be inflated by 9.3%, and so on. The percentage increase with which the Zakát wealth has to be inflated will increase with each year. This will provide 100% increase in the Zakát-taxable wealth after about 34 years. But, in no way does this 'increase' whether of 4% or 100% solve the discrepancies created by calculating Zakát at the end of the solar year. The 'increase' theory has no bearing to reality. It remains a fictitious and a groundless supposition.

(12) Utilizing the solar year for Zakát purposes will magnify the incidence of error with each successive year which produces a constant recession of the Islamic year in relation to the Christian year. In the first year there will be an eleven-day gap between the Islamic and the Christian year; in the second year a twenty-two day gap; in the third year a thirty-three day gap, and so on. The greater the gap, the greater the danger of increased discrepancy since more transactions could be effected in the greater time period. Every transaction involving Zakát-taxable wealth effected in this time-gap will affect the Zakát position. Zakát-taxable wealth which had been converted into non-Zakát-taxable items during this time-gap will be exempt from Zakát if the calculation is done at the end of the Christian year. And, all increases in Zakát-taxable wealth during this time-gap will be subjected to Zakát if the calculation is based on the Christian calendar. But, in terms of the Shariah, whatever Zakát-taxable assets have been converted into non-Zakát-taxable items during the time-gap will be subjected to Zakát and all increases in Zakát-taxable wealth during the time-gap will be exempted from Zakát. Such increases will only be taxed by Zakát at the end of the next Islamic year, if such wealth still remains in one's possession.

(13) If Zakát is calculated on the basis of the Christian calendar, then one whole year will be missed out after about 33 years, and this 'escaping' of a year's Zakát cannot be rectified or compensated by means of the unrealistic 'increase' even if at the end of the 33rd year the increase is 100%. The 'gap' between the Islamic and the Christian years after 33 years will be one year, and in one year all one's wealth may be depleted or lost, this bringing about the total 'escape' from Zakát even if 100% increase in the figures is effected. At the end of the 33rd Christian year, one may have Zakát-taxable wealth less than the value of Nisáb whereas a year before when the time was due for the Zakát calculation one could have possessed a considerable sum of Zakát-taxable wealth.

These are some examples of serious errors which are a consequence of fixing our Zakát calculation to the Christian calendar. For the accurate and safe discharge of the Fardh obligation of Zakát it is essential that it (Zakát) be treated as an Ibadat institution on its own. It should not be assigned a secondary role and hitched to the tax institutions of worldly governments.

Rasulullah (sallallahu alayhi wasallam) said: "Honour the Deen of Allah and Allah will honour you."

Rasulullah (sallallahu alayhi wasallam) said: "The most diligent in arranging affairs is a Mu'min. Along with attending to his worldly affairs he attends to the affairs of his Akhirah as well."

From page 1 IRAN AND THE BROTHERHOOD

The rulers of Tehran had better follow the example of the Muslim Brotherhood in giving top priority to the best interests of Islam, doing away with fanaticism. Had they done so they would have classified their friends and enemies on the basis of justice and correct political understanding. They would then have collaborated with their true friends and brothers.

The rulers of Tehraan have made their choice to commit suicide and to do themselves and their own people considerable harm and to be hostile to Islam and the Muslims. It is their choice and they have to account for it.

THE COMMAND OF THE ISLAMIC REVOLUTION IN SYRIA:

IF UNDELIVERED PLEASE RETURN TO :-
P.O. BOX 3393
PORT ELIZABETH 6056
REP. OF SOUTH AFRICA

ENEMY OF THE

VEIL

Tunisia has banned the veil, an essential part of Islamic Hijaab, in government offices, schools and universities on the grounds that the Hijab was reactionary and contrary to the spirit of progress and development.

This Tunisian move is not surprising since its leader, Bourgiba has adopted the path of kufr since the very inception of his rule in that country. Among his acts and decrees of kufr is his condemnation of the month of Ramadhan being a month which places a brake on 'progress' and 'development' in the opinion of Mr. Bourgiba. May Allah Ta'ala rid the Ummah of such leaders of dhalaal.

PIT OR GARDEN

Rasulullah (sallallahu alayhi wasallam) said that the qabr (grave) is either a pit of the pits of Jahannum or it is a garden of the gardens of Jannat.

According to the Ulama, the qabr is not the specific hole in which the dead body is buried, but refers to the phase of life which follows death. That stage of life is known as Barzakh which lasts until Qiyaamah. The various ahaadith on this subject also indicate the correctness of this interpretation.

Rasulullah (sallallahu alayhi wasallam) said:

"The best rizq (food, etc.) is that which is sufficient and the best thikr is a silent one."

HADATHE AKBAR

Hadth-e-Akbar or the greater impurity is the state of ceremonial impurity occasioned by:

- * Discharge of mani (semen) accompanied by sexual desire whether such discharge occurs during sleep or while awake.
- * Sexual intercourse.
- * haidh (menstruation).
- * Nifaas (discharge of blood after childbirth).

During the state of Hadth-e-Akbar the following things are forbidden:

- * Salaat
- * Touching the Qur'aan
- * Touching even a single verse of the Qur'aan Shareef even if the verse is written elsewhere.
- * Reciting the Qur'aan Shareef even without touching.
- * Entering the Musjid.
- * Making tawaaf of the Ka'bah Shareef.
- * Cutting nails and hair from any part of the body.

And, if you follow them (the unbelievers) then, verily you (too) will become mushrikoon (polytheists).
(QURAAN)

Rasulullah (sallallahu alayhi wasallam) said:

"Refrain from sin and maut will become easy for you; and refrain from debt and you will live in freedom."

Rasulullah (sallallahu alayhi wasallam) said:

"Refresh your Imaan by reciting in abundance: Laa ilaa ha illal laah."

'SHARES'

WHAT are THEY?

It is quite obvious that the Shariah will rule as follows on this agreement of Zaid, Amr and Bakr:

(a) On the basis of No.(i), the ruling of the Shariah is that such a sale is *baatil* since the article of the sale (*mabee'*) is not a material commodity (*maal*). Further, such a transaction constitutes *riba* because the return will be either more or less than the price or amount tendered by Amr and Bakr. In fact, it is the exchange of money for money which in the Shariah is *haraam* if the terms of exchange are credit--the payment of both sides or of one side being deferred) or inequality [*tafaadhul*-- the one payment being in excess of the other].

(b) In view of the clear stipulation in No.(ii), there remains no scope for *ta'weel* (interpretation). The seller and the buyer stipulate and agree that no *maal* is being sold or purchased for the money given by Amr and Bakr. The clear-cut terms eliminate all ambiguity, hence the transaction will not admit the *ta'weel* that assets (i.e. *maal*) are being sold or bought.

(c) Condition No.(iii) further enforces the claim that no valid sale in terms of the Shariah transpires and that the article being sold is *future profits*.

(d) Condition n (iv) effectively negates the conception of proportionate ownership rights of Amr and Bakr in Zaid's business. This conditions categorically asserts that Amr and Bakr are not partners in Zaid's business. Their status is merely that of buyers who have purchased a percentage of future profits and not a percentage of the assets in Zaid's business. As stated earlier, this is *baatil* and *riba*.

(e) Condition No.(v) reinforces the claim that Amr and Bakr are NOT partners or shareholders in Zaid's business in the Shar'i sense of the meaning of shareholders. This stipulation eliminates all ambiguity and demonstrates clearly that Amr and Bakr have no proportionate rights of ownership in the assets of Zaid's business. Precisely for this reason are they not held liable for the liabilities of Zaid's business.

It should now be very clear that all these conditions invalidate the contract. A transaction with such *baatil* conditions will be null and void in Islam.

We contend that this is not a sufficient basis to decree in terms of the Shariah that the company belongs to the shareholders. Our reasons are:

The two points, viz. (a) and (b) explained above are of vital significance in determining the status of the shareholders. These two points clearly indicate that the only real concern or connection of the shareholders with the company is the obtainal of profits. The shareholders are not liable for the debts of the company nor is the company liable for the debts of its shareholders. Consider the following case which will provide us with a good analogy.

Zaid owns a business. Amr and Bakr both 'invest' amounts of money in Zaid's business. Zaid accepts the 'investment' of Amr and Bakr on the following terms:

(i) In return for the money invested, Zaid will pay Amr and Bakr a specified percentage of the profits.

(ii) In making the investment, Amr and Bakr are not buying any assets in the business of Zaid. The money being paid to Zaid by Amr and Bakr is solely for the right of future profits.

(iii) Amr and Bakr have no right to *withdraw* their investment since such *invested* money belongs solely to Zaid who sells a percentage of his future profits in return for the money paid by Amr and Bakr.

(iv) Amr's and Bakr's creditors will have no right to claim anything of the assets of Zaid's business in the event Amr and Bakr being unable to pay their debts, since Amr and Bakr by their purchase of shares in Zaid's business have no proportionate rights in the assets of the business which will be the sole property of Zaid notwithstanding the investment of the other two.

(v) Amr and Bakr will not be liable for any of the debts incurred by the business of Zaid in which they have *invested*. The creditors of Zaid's business will not be entitled to claim from the properties of Amr and Bakr since they are not proportionate owners in the business of Zaid. They (Amr and Bakr) are merely purchasing a specified percentage of future profits in return for the money which they gave Zaid (and which money becomes Zaid's property by the agreement of the three).

(vi) In the event of dissolution or liquidation of the business, Zaid agrees that in any assets there may remain after payment of debts, Amr and Bakr will have a *pro rata* share.

Continued on page 5

See PAGES 5, 11, 12

What is a **COMPANY?**

To understand the Shariah's ruling on the company set-up and dealing in shares, it is essential that the following important facts be understood.

(1) A company in terms of the law of the land is a separate legal entity apart from its members who are described as *shareholders*. Upon registration the company acquires legal capacity. It is then regarded as a *juristic person*.

(2) A member (*shareholder*) has limited liability and does not lose more than the purchase price for his shares in the event the company is liquidated or becomes insolvent.

(3) The shareholders in a company are not liable for the debts of the company nor is the company liable for the debts of its members (*shareholders*).

The members or *shareholders* do not own the assets of the company. They have no proportionate right in the assets of the company. In terms of the law all assets belong to the company which is the *juristic person* or a separate legal entity, independent of its members.

(5) As far as the *shareholder* is concerned, only a complex of rights and duties vests in his personal estate.

AND SHARE ?

What is the definition of a 'share'?

The following is the definition of the term *share* given by the capitalist authorities of economics:

"The term 'share' as such denotes that the holder thereof has a claim on part of the share capital of the company--and does not refer to a right of ownership in any part of the net assets of the company. A share in a company is not a corporeal object but represents a complex of rights and duties."

(Mercantile Law)

AND CERTIFICATE ?

What does the *share certificate* entitle the *shareholder* to? The law sets out the accruals of the *share certificate* as follows:

"In his capacity as a party to this legal relationship there accrues to the shareholder--

(i) rights, mainly the right to dividends when they have been declared and the right to participate in a distribution on liquidation; and

(ii) duties, mainly to honour the provisions of the articles; and

(iii) on the strength of his membership of the company, certain powers and rights such as the right to vote at meetings, to receive notices, etc."

"The ownership of the assets of the company are of course vested in the company *qua* legal person."

NO Shirkat

"It is said that shareholders 'own' shares in the company. However, the shareholders or the members of the company do not own the assets of the company nor do they have a *pro rata* share in the assets of the company because all the assets belong to the company itself. The position of the shareholder is that a complex of rights and duties called a 'share' vests in his personal estate."

It will be abundantly clear from the explanations given here that a SHARE in a company is not a share in a *Shirkat* (partnership) in terms of the Shariah. The experts of economics also assert that a SHARE in a company refers merely to A COMPLEX OF RIGHTS AND DUTIES and not to a share in the assets of the company. Thus, the company is not a valid Shar'i *shirkat* enterprise. Share in a company must not be confused with a real and literal share in a partnership. The former share represents *rights* (*huqooq*) while the latter share represents assets (*maal*).

Sometime ago we were informed that a senior *Aalim* had opined that the present public company could be regarded as a valid *shirkat* (partnership) undertaking. The grounds for this opinion of the respected Mufti Saheb were given as follows:

(a) The concept of the independent legal existence of the Company is a fiction of law.

(b) Upon dissolution of a Company, the surplus assets, if any, after payment of liabilities will be distributed *pro rata* to the shareholders. Hence, the Company will be considered in the Shariah as belonging to the shareholders.

We differ with this opinion and find it unacceptable and untenable on the basis of Shar'i *Dalaa-il*. We had submitted a detailed explanation of the company set-up to the honourable Mufti Saheb. The explanation is reproduced here for the benefit of the Muslim public.

SOME IMPORTANT FACTS PERTAINING TO COMPANIES

(1) In the capitalist economics of the west a company is considered a legal entity or a legal person apart from those who have purchased shares in it.

Regarding this decree of western law of economics, it has been asserted (by the respected Mufti Saheb) that "the concept of the independent legal existence of the company is a fiction of law". We cannot agree with the claim that the company's existence is a fiction of law. In so far as the Shariah is concerned it will be correct to say that such a set-up is a "fiction" since it is quite evident that the Shariah does not recognize an abstract concept as a real, tangible person responsible for rights (*huqooq*). But, in terms of the law (of the land), the company establishment is not fictitious nor is its separate legal status a fiction. The following are our reasons for this claim.

(a) The shareholders are not responsible for the debts of the company. This is a real situation-- the actual position, and not fictitious. By law the shareholders are not obliged to pay the debts of the company. In the event of liquidation or insolvency if the company's assets are insufficient to cover the debts, the creditors of the company are the losers. Even if the shareholders happen to be millionaires, creditors cannot claim a cent from such shareholders. But, in Islam, the shareholders in a *Shirkat* (partnership) are responsible to the creditors for the debts incurred. Upon the dissolution of a *Shirkat* enterprise, the shareholders cannot disclaim responsibility for the debts and they are obliged by the Shariah to pay the debts.

(b) The company is not liable for the debts of its shareholders. Let us assume that Zaid and Bakr are the two shareholders in a company. Zaid owns 50% of the shares and so does Bakr. If Zaid in his private capacity has creditors and Bakr too has his own private creditors, but they have no private property with which to liquidate their private debts, then according to the law of the land Zaid's creditors and Bakr's creditors have no claim in the assets of the company of which both are the shareholders. In the event Zaid and Bakr fail to pay their debts, the creditors will have to suffer the loss. They cannot claim the assets of the company since such assets in law is not the property of Zaid and Bakr. But, in terms of the Shariah, this is an unjust and *baatil* set-up. According to the Shariah, the creditors will have the right to claim the assets of the company if it is a *Shirkat* enterprise.

From the aforementioned explanation it will be quite clear that a company or the independent legal existence of a company although fictitious and unlawful in the Shariah, nevertheless, is a real entity and an indisputable fact in western law. The company is a fact which has real and practical effects as outlined above.

(2) THE BASIS FOR THE CLAIM THAT IN THE SHARIAH THE COMPANY WILL BE CONSIDERED AS BELONGING TO THE SHAREHOLDERS has been stated as follows:

"Because upon dissolution of a company, the surplus assets [if any] after payment of liabilities will be distributed *PRO RATA* to the shareholders, the company will be considered in the Eyes of the Shariat as belonging to the shareholders."

QUESTIONS and ANSWERS

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Q. A man divorced his wife before having consummated the marriage. After the nikah some argument developed between the husband and his in-laws. The man then departed and went to another town from where he wrote out a letter of talaaq. The husband and wife never had occasion to meet after the nikah. Can this woman marry another man immediately or is there iddat for her?

A. She can immediately marry. In this case there is no iddat to be observed.

Q. A man had committed fornication with a woman. After twelve years he wishes to marry the daughter of the same woman. The daughter is the offspring of a valid marriage between this woman and another man. Is it permissible for him to marry this girl with whose mother he had committed fornication years ago?

A. Marriage to her is haraam. He can never marry her. A nikah with her will not be a valid nikah.

Q. A man committed zina with his step-daughter [the daughter of his wife by a previous marriage]. The step-daughter is making this claim, but the man denies it. What is the position of his marriage to the girl's mother? Is their nikah still in order?

A. The nikah in this case is valid. The claim of only the daughter will not affect the nikah. However, the man should fear Allah. Allah knows and sees everything. Allah is aware of the truth. If indeed he did commit zina with his step-daughter, his nikah to the girl's mother will become invalid. They must then separate.

Q. What are the differences between the Sunnis and the Shias? Are there any major differences? Are the Shias of Ayatullah Khomeini members of the group known as the Ahle Sunnah Wal Jamaat? Please explain in detail. Many Muslims nowadays are inclining towards the propagation of the views coming from Khomeini's Iran.

A. Among the Shiahs are many different groups. Some beliefs of certain sects are absolute kufr and those who hold those beliefs are undoubtedly kaafir. For example: Some believe that the Qur'aan Shareef as we know it, is not authentic. They claim that the present Qur'aan is an interpolated version, hence unreliable. Some believe that Hadhrat Jibraeel (alayhis salaam) committed an error regarding the delivery of Wahi. They assert that he was supposed to have delivered the Wahi to Hadhrat Ali (karramallahu wajhah), but erred and delivered it to Muhammad (sallallahu alayhi wasallam). Some again believe that the original Qur'aan had forty Juz, but Hadhrat Aishah (radiallahu anhaa) destroyed the last ten parts because these contained the praises and virtues of Hadhrat Ali (karramallahu wajhah). Some believe that Hadhrat Abu Bakr (radiallahu anhu) was not the Sahaabi of Rasulullah (sallallahu alayhi wasallam). Some believe in the divinity of Hadhrat Ali (karramallahu wajhah). Some among them slander Hadhrat Aishah (radiallahu anhaa) and accuse her of having committed adultery. All these beliefs are clear-cut kufr and those who proclaim these and adhere to such beliefs are kaafir. We have not made a study of the various sects prevalent among the Shias of Iran. We are, therefore, not aware of the beliefs of Ayatullah Khomeini and of his followers. However, this much we can say with certainty: Ayatullah Khoomeini and all Shias are not members of the Ahle Sunnah Wal Jamaa'. They are outside the confines of the Jamaat of Haqq. They are in the fold of baatil. In the unanimous opinion of all authorities of the Ahle Sunnah Wal Jamaa', the Shias are astray. It is, therefore, not permissible for Muslims to follow Ayatullah Khomeini or be enamoured with him because of the external facade of Islamism cloaking his movement. No matter how much he may proclaim that his rule is the rule of Islam, the fact remains that he and all Shiahs are astray plodding the path of baatil and deception. Those who have strayed from the Path of Rasulullah (sallallahu alayhi wasallam) and his Sahaabah can never be on the Road of righteousness. Rasulullah (sallallahu alayhi wasallam) commanded obedience to his Sahaabah and respect and love for his Sahaabah. But, the Shias insult and abuse those who were beloved to Nabi-e-Kareem (sallallahu alayhi wasallam). The Ahl-e-Sunnah is thus a Jamaa't totally apart from the Shiahs group.

Q. What is the Shariat's ruling on the Ismaili [Khoja] sect?

A. The Ismaili sect is not Muslim.

Q. Recently I came across a copy of a translated version of the Qur'aan. Along with the Arabic text appear the translation and transliteration. The whole Qur'aan has been transliterated in English script. What says the Shariat about such transliteration? By transliteration is meant that the Arabic text is converted into the English script. The script is English but the pronunciation is Arabic.

A. Such transliteration is not permissible. In terms of the Ijmaa' (unanimous verdict) of all authorities of the Shariah, transliteration of the Qur'aan into a non-Arabic language is haraam. It is the duty of Muslims to learn recitation of the Qur'aan Shareef in the original language of the Qur'aan. Those who can recite in Arabic, stand in no need of such innovation. Those who are unable to recite in Arabic have the incumbent duty to make effort and learn how to recite.

Q. I have noticed that in some mosques the muazzin recites "innallaaha wamalaa ikatahu...." before the Imaam mounts the mimbar. After reciting this verse, he gives the

Staff [asaa] to the Imaam who gets on the mimbar and recites the khutbah holding the Staff and in some mosques I have witnessed that this practice is totally absent. What is the correct practice in this regard?

A. The custom of reciting the aayat in the manner and occasion mentioned by you is in conflict with the Sunnah of Rasulullah (sallallahu alayhi wasallam). The practice which you have observed in some Mosques where this aayat is not recited and the asaa not taken is the correct practice.

Q. I missed two raka'ats of the Fardh Salaat which was being performed in jamaat. After the Imaam made the Salaam I got up to complete the two raka'ats which I had missed. In the first raka't which I was making I forgot to recite Surah Faatihah. I completed the Salaat without making a Sajdah for the error. In this case was Sajdah necessary?

A. Sajdah Sahw was necessary. The one who misses some raka'ats is termed a Masbooq. Sajdah Sahw becomes Waajib on a Masbooq if he commits an error regarding the Waajib factors while he is fulfilling his missed raka'ats. It is necessary upon you to repeat the Salaat in view of the omission of the Sajdah Sahw.

Q. The Imaam of a certain Mosque is a paid employee of the community. The organization paying him instructs him not to perform the nikah or burial of any person who fails to pay a certain fee which the organization has stipulated on the members of the jamaa't. Such fees are used for the maintenance of the Masjid. Is this action of the Muslim organization valid in the Shariah?

A. If the Imaam is an employee of the society and is being paid a wage then such wage will be for the time that he is being restrained from other activities or for the time he will be occupied in the service of the organization. It should be well understood that the Imaam is not being paid to lead the Salaat, for Salaat is an Ibaadat and ibaadat cannot be commercialized. His wage is for time which he has to be in the employ of his bosses (in this case the un-Islamic society which is making un-Islamic demands on him).

It is essential that the times of his employment be specified. His employers will have the right to forbid him from performing anyone's nikah or burial only in the specific time that he is in their employ. If for example, his time of employment is only the specific Salaat times when he has to be present to conduct the Salaat, then the organization can prevent him from any other activity only during the specified times. However, the organization has absolutely no right over him during the times which do not fall within his specified period or time of service. The Imaam in being an employee of the jamaa't does not sell his right of making ibaadat or his right and duty of rendering service to other Muslims in general. It must be added that the organization employing the Imaam has fallen to an extremely degenerate level by being so callous, petty and inconsiderate as to order the Imaam not to perform the nikah or burial of any Muslim who has not paid the "fees" which are unlawfully imposed upon the Musallis. The organization has absolutely no Shar'i right nor any Shar'i power to levy any fees on the Musallis. The Imaam too will be in an exceptionally weak spiritual condition if he refrains from the performance of nikah or burial solely because of the instruction of the ignorant and un-Islamic officials of the organization.

Q. The organization in charge of our Mosque has threatened to prevent such musallis from using water in the Wudhu Khaanah, who have not paid their fees to the organization. Is this action permissible?

A. It is not permissible. The organization has no right over the Masjid nor over the Wudhu Khaanah in regard to preventing anyone from acts of Ibaadat. The "fees" demanded are not obligatory upon the Musallis. The Wudhu Khaanah is a Waqf institution and so are the facilities therein. The threat of the organization is baatil and sinful. They have no such right. Musallis should ignore such threats. It is best to endeavour to dismiss the ignorant officials of this organization.

Q. A woman had an illicit affair with a man. Her husband gave her one talaaq. Before the expiry of her iddat it transpired that she was pregnant. She is anxious to get married to the man with whom she had the affair. The man too wishes to marry her. The husband says that she is not pregnant by him, her pregnancy being by the man with whom she had the affair. The woman agrees and says that she is pregnant by the other man. The man too agrees and confesses to having committed fornication with her. The husband has no intention of recalling her. How long does she have to wait before she can marry the other man? What is her iddat - three haidh periods or until the child is born?

A. Her iddat is delivery of the babe. In other words, she will be able to marry another man only after the baby has been born. All the other claims and confessions regarding the commission of fornication and the cause of her pregnancy are of no significance in the determination of her iddat. In so far as the Shariah is concerned, the child will be regarded as that of her husband regardless of his rejection and the confession of the wife and the other man with whom she had an affair. Such claims and confessions do not invalidate the legal (i.e. according to the Shariah) status of the child. According to the Shariah, the child in this case will bear the name of his mother's husband irrespective of what is being said.

Q. How is it to perform Salaat bare-headed? Is the Salaat performed in this way proper?

A. Salaat performed bare-headed is valid. By valid is meant the discharge of the Fardh obligation. It does not mean that performing Salaat in this manner is permissible. The act of being bare-headed in Salaat is not permissible. It is contrary to the Sunnah. The thawaab of the Salaat is destroyed and one incurs the Wrath of Allah Ta'ala for deliberately diverging from the established Sunnat practice of Rasulullah (sallallahu alayhi wasallam). Bare-headedness is the influence of modernism which Muslims are taking from the kuffaar. It is contrary to the Sunnah for a Muslim to be bare-headed in public, leave alone Salaat. The testimony of one who is in the habit of being bare-headed in public, is not acceptable in an Islamic court of law. The importance of covering the head should therefore be clear.

Q. A Qaadiani couple embraced Islam. Since they were born Qaadianis, their marriage was performed in the Qaadiani religion. Is it necessary that their marriage be performed over?

A. Since both husband and wife accepted Islam together, there is no need to perform nikah. Their previous marriage will be valid.

Q. Some learned scholars of Islam claim that animals slaughtered by the Christians are halaal because they [Christians] are members of Ahle Kitaab and the Qur'aan says that the meat of the Ahle Kitaab is lawful for Muslims. Is this so?

A. According to the Shariah the meat of the Ahl-e-Kitab is halaal. In this command of the Shariah there is no doubt. However, the meat of the Ahl-e-Kitaab was made Halaal not because of Christianity or Judaism. These are religions of baatil, of kufr and shirk. Their meat was made lawful for Muslims because they slaughtered in the Name of Allah. They effected proper Shar'i thabah in terms of the original teachings of their Ambiyaa (alayhimus salaam). But, if a member of the Ahl-e-Kitaab does not effect proper thabah then his slaughtered animal will not be halaal in the same way as an animal slaughtered by a Muslim incorrectly, will be haraam. If an animal slaughtered by even a Muslim incorrectly is haraam, to a greater degree will be haraam an animal slaughtered incorrectly by a Kitaabi (a member of the Ahl-e-Kitaab). If it is established that Christians do recite the Name of Allah when slaughtering, as well as severing correctly the required neck-vessels then such meat will be halaal. However, nowadays Christians do not slaughter according to their original religious rules. The requirements of thabah are not met. They do not slaughter in the Name of Allah. In the majority of cases slaughtering is effected by automatic machine. In many cases the animals are brutally stabbed to death (as in the killing known as "long-cut" method.). Since the prevalent general practice of the Christians of our day is to kill animals incorrectly, no thabah being effected, their meat will be haraam.

Q. I am married to a woman who does not lead a proper Islamic and homely life. Many a time when I come home she is not in. She is either at some neighbour's house chatting or riding around. Incidentally, she can drive. She therefore goes out whenever she wishes. She does not take my permission when she goes. On most occasions I am at work, the children at school while she is riding around. She pays little attention to the children and I feel that they are Islamically neglected. As a result of her attitude my feeling for her has been extinguished. I have married again without informing my first wife. A few days after my marriage she learnt of it and raged, hurling much abuse and insult on me. Regarding her, I am not concerned. She has chosen to wander around and behave as if she is the man in the house, therefore, my ears have become deaf to her abuse and nagging. But, a certain Imaam told her that my second marriage is not proper because I did not obtain her consent. Please advise me in this matter. Is the consent of the first wife conditional for the validity of a second nikah?

A. The Imaam misinformed her. He is not aware of the Shar'i law in this matter. A second or a third or a fourth marriage is not dependent on the consent of any wife. Your nikah is in order. Consent of your first wife is not necessary for the validity of your second nikah. For the benefit of other readers we will add that you are greatly to be blamed for permitting your wife the haraam freedom of wandering around with the car. Those who intend to get married should heed our advice: Never permit your wife the shameless practice of driving (shameless for women). Driving destroys their hayaa and breeds fujoor (shamelessness and immorality) in them. Driving induces them to be on the streets competing shamelessly with men. Driving makes her careless of her home affairs. Driving causes her to neglect her children and her Ibaadat. The husband who permits his wife to drive around is in Shar'i terms, a dayyooth. In such a case, the woman will always have the pants on and the husband the apron. If the married life is controlled along the lines of the Shariah from the very beginning, Insha'Allah, problems and conflicts will be at a bare minimum. You depart from the Law of Allah...you permit your wife to be shameless...to mingle and associate with every Tom, Dick and Harry...you yourself make a dayyooth out of yourself, then you bewail your fate. You wonder, what went wrong? The wrong is that most people throw the Deen overboard. They suffer then.

QUESTIONS and ANSWERS

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Q. *Is it permissible to adopt an illegitimate child?*

A. It is permissible to do so. But, an adopted child does not become an automatic heir in one's estate. The adopted child will not inherit in the estate of his/her foster parents in the way their own children will inherit. However, it is permissible to bequeath or make a wasiyyat for the adopted child. Any such bequest cannot exceed one-third of the deceased's estate after payment of funeral expenses and debts. Also, all the laws of Hijaab (Purdah) will apply to the adopted child once he/she comes of age.

Q. *Is it permissible for a study circle of women to discuss verses of the Qur'aan? The way in which the study circle is conducted is: One person prepares a Surah beforehand. She then at the gathering reads the Arabic, and with it she reads the translation of Yusuf Ali. Then in simple language she explains the translation and when possible, discusses how to implement this in one's daily life. Is this permissible?*

A. Firstly, the commentary of Yusuf Ali is in many instances highly erroneous. Yusuf Ali's commentary contains a number of kufr opinions. Yusuf Ali was not an authority of the Shariah. His work is not authoritative and in Shar'i terms is not authentic. In view of the grave errors destructive to Imaan, it is not permissible for ordinary Muslims (i.e. those who are not qualified in Deeni Knowledge) to study the translation and commentary of Yusuf Ali. Many people have gone astray by the commentary of Yusuf Ali. It is, therefore, imperative that you and all those indulging in this form of study, refrain from the work of Yusuf Ali. Imaan is the most valuable treasure. People go out of their way to protect and guard their wealth. How much effort do they really make for the protection of their Imaan? No sane person will leave his wealth and his gold unguarded. No one will trifle in this respect. But, they regard their Imaan very cheaply, hence they are prepared to expose that valuable treasure upon which depends the everlasting Najaat (salvation) of the Akhirah, to the scoundrels and robbers of Imaan and plunderers of the Deen. Who are the scoundrels, the robbers and plunderers of Imaan and Deen? They are the men of personal opinion and men who possess no authentic and authoritative Shar'i knowledge. The type of study-circle you describe is Islamically unqualified to expound and interpret the aayaat of the Qur'aan Shareef. An explanation based on self-study is highly dangerous and contains all the ingredients for leading astray. The *nafs* and *shaitaan* at times operate under cover of the deen to mislead and to plunge one into kufr and dhalaal. Stay far away from such groups of misguidance. Stick to pure *tilaawat* of the Qur'aan Shareef and gain the wonderful *thawaab* flowing from it. Obtain the true teachings of the Deen from authentic books of the Shariah and from qualified Aalim. Do not place your Imaan in the path of spiritual disaster.

Q. *Is it permissible to deal in shares on the Stock Exchange? Are bonus bonds halaal?*

A. Dealing in shares on the stock exchange is not lawful in the Shariah. Such "shares" do not constitute a *shirkat* (partnership) arrangement in terms of the Shariah. Bonus bonds are haraam.

Q. *Is it possible to read the Qur'aan Shareef in only English during Ramadhan? Can we make khatam of the Qur'aan in this way--reading in English only?*

A. Reading a translation of the Qur'aan is not *tilaawat* of the Qur'aan-e-Kareem. Reading in English can never take the place of *tilaawat*. Completing the reading of the whole translation is not a *khatam* of the Qur'aan Shareef. The *fadheelat* (significance and virtues) of Qur'aan recital mentioned by Rasulullah (sallallahu alayhi wasallam) all apply to *tilaawat* of the Qur'aan-e-Kareem in the Arabic language. If one is able to recite the Qur'aan Shareef in Arabic, it is then not permissible to substitute *tilaawat* with reading in a non-Arabic language. *Tilaawat* in the Arabic language is an independent and a specific form of ibaadat. It cannot be substituted by an English reading. The purpose of reading a translation (i.e. an authentic translation) of the Qur'aan Shareef is not the same as the purpose of *tilaawat*. Hence, reciting in Arabic is essential for *tilaawat*.

Q. *Is it permissible to have sexual relations if the wife is breast-feeding?*

A. Sexual relations during the period of breast-feeding are permissible. Sexual relations during the period of nifaas are not permissible. Nifaas is the period of impurity which follows child-birth.

Q. *A man is unable to fast due to very old age and constant illness. There does not remain much hope that he will recover from his weakness. We have been informed by someone that the alternative is to pay some form of compensation in the form of money and the duty of fasting will be discharged from the old man. Please explain what has to be done in this case.*

A. In this case *kaffarah* (expiation or compensation) has to be paid. The *kaffarah* for each fast is the value of *Sadaqatul Fitr* (Fitr). The amount which you are paying for Fitr at your place is the *kaffarah* for a fast which cannot be executed. The old man mentioned by you is allowed to discharge his obligation by payment of the *kaffarah*.

Q. *An unmarried woman became pregnant by committing fornication. Another man is prepared to marry her*

inspite of her condition. This man who wishes to marry her is not the one responsible for her being pregnant. What is the ruling of the Shariah regarding such a marriage? Can this man marry her while she is pregnant by another man?

A. It is permissible for the other man to marry her even if she is pregnant by someone else. However, the man who marries her will not be able to have sexual relations with her until delivery of the child. Sexual relationship with her will be unlawful until such time that she has given birth.

Q. *What should a person who has uttered a kufr statement do? If, for example, someone denies the fact of Nabi Isaa [alayhis salaam] being alive or denies that he was born without the agency of a father, and then he realises his error, how should he make amends?*

A. One who utters a statement of kufr should renew his Imaan by reciting the Kalimah of Islam. He must also renew his nikah, i.e. his marriage should be performed again. At the same time he should repent and seek Allah's forgiveness.

Q. *I am a Muslim who has been involved in an un-Islamic relationship with a woman although I am a married man. I am aware that my relationship with the woman is evil and I am guilty of a very bad sin. For some reasons I was not living at home during the month of Ramzaan. The woman with whom I had the unlawful affair daily brought food for me at the place where I was temporarily staying. I ate of that food during sehri and iftaar. The month of Ramzaan has passed and I am now very restless regarding my fasting. I have with the aid of Allahu Subhaanahu wa ta'ala broken off my unlawful relationship and I have repented for my evil, but the question of my Ramzaan rozas is bothering me. I do not know from where she obtained the food or the money with which she obtained the food. I was eating of food taken from a woman in a haraam relationship. What is the position of my rozas? Are they valid or do I have to make qaza of them?*

A. No, you do not have to make qadhaa of the fasts in so far as the Fiqhi (the external dimension) Law of the Shariah is concerned. The fasts are valid, hence no hukm of qadhaa. However, viewing it from the Baatini (internal dimension) angle of the Shariah, your fasting was devoid of *rooh* and *thawaab*. It is entirely another matter if Allah Ta'ala grants you the *thawaab* of the fasts which you rendered in a corrupted and spiritually degenerate state. That will be His Rahmat. But at this juncture we are not in position to know about that. What is of concern is the strong likelihood of the *thawaab* of your fasting having been destroyed since you ate with the *hand and heart* of *zinaa* and took from the *hand and heart* of *zinaa*, and that too in such a sacred month as Ramadhaanul Mubaarak. We say the *hand and heart* of *zinaa* because Rasulullah (sallallahu alayhi wasallam) said that the eyes, the ears, the hands and the heart too commit *zinaa*. Our advice, therefore, is that if you are by the physical health, to fast again thirty days, not all at once, but spread over a period of time. This will ease your mind as well as make up in some measure the *thawaab* which was in all probability lost. If this is too difficult, then merely repent sincerely. Allah Ta'ala is Merciful and there is no shortage in his Treasury of *Thawaab*. If you do decide to accept this advice of fasting thirty days, do understand that such fasting is not commanded by the Shariah; such fasting which will be offered is not qadhaa of the fasts of Ramadhaan, for your Ramadhaan fasting is valid in terms of the Shariah's rules.

Q. *What does the Shariah say about a man who says that the miracles of the Nabis were not actual physical demonstrations, but are merely figurative expressions to convey some idea, e.g. the glittering hand of Nabi Musaa [alayhis salaam] does not mean that in actual fact, i.e. in the physical sense his hand dazzled like some light, but it signifies the glitter of truth in a figurative sense. Similarly, all miracles of the Nabis are given some interpretation. Does such interpretation amount to rejection of the Qur'aanic verses and Hadith on this subject? Is such a man who rejects the miracles on the basis of interpreting the verses, a Muslim?*

A. The *Mu'jizaat* (Miracles) of the Ambiyaa (alayhimus salaam) are proven in terms of *Riwaayaat-e-Mutawaatarah* which is the highest category of Shar'i proof. Furthermore, the straightforward acceptance (i.e. without resorting to one's interpretation of fancy) of the *Mu'jizaat* as having been acts of physical demonstration, is among the *Dhuru-riyaat* (Essentials) of the Deen. The *hukm* (effect and Shar'i verdict) of such rejection is kufr even if based on *ta'weel* (interpretation). Such a person is not a Muslim. He becomes *kaafir* and *murtad* by entertaining such a belief of kufr. The essentials of the Deen do not admit *baatil ta'weel*.

Q. *A certain group in Durban is propagating the claim that the Ulama of the Middle East, especially of Makkah and Medinah, have branded all the Ulama of Deoband as being kaafir because of certain beliefs which are not the beliefs of Islam. How much truth is there in this claim?*

A. In "The Majlis", Vol.5 No.6, we had made a statement in refutation of this *baatil* of the grave-worshipping sect. The grave-worshippers had some eighty or ninety years ago obtained a fatwa of kufr against the Ulama of Deoband from the Ulama of Haramain Shareefain. The fatwa was secured on the basis of naked lies attributed to the Ulama of Deoband by the Qabar Pujaari group of Bareilli. When the Ulama of Haramain Shareefain were informed of the true beliefs of the Ulama of Deoband, they

(the Ulama of the Middle East) endorsed and supported the Haqq of the Ulama of Deoband. In this connection some statements of the Middle East Ulama appear on page 4 of this issue of "The Majlis". The truth will become manifest by a perusal of these statements.

Q. *Our discussion group the other day was debating the question of salvation in the hereafter. Some of our members believe that salvation in the hereafter is not restricted to the belief in Prophet Muhammad [sallallahu alayhi wasallam]. They claim that even if today Christians, Jews, Hindus or followers of any religion for that matter, lead an uprighteous moral life, there will be salvation for them in the hereafter. Such pious people will all enter Jannat is the claim. They say that all religions are like rivers flowing into the ocean, so it does not matter which religion one adheres to. As long as one leads a good moral life, one will be saved in the hereafter. I have serious doubts in this reasoning. Please clarify this issue for me.*

A. Firstly, to sit in such discussion groups is haraam. Those who propagate this belief of kufr are either non-Muslims parading as Muslims or they are totally ignorant of Islam. They have been influenced by the many shayateen in human form--human shayateen who have set themselves up as expounders and reformers of Islam. The community abound with such robbers of Imaan. The belief in the unity of religions is absolute *baatil* and kufr. One who subscribes to this kufr is undoubtedly a *kaafir*. There is no Najaat (salvation in the Akhirah) for those who reject the belief in the finality of Muhammad's (sallallahu alayhi wasallam) *Risaalat*. Belief in Rasulullah (sallallahu alayhi wasallam) is a condition of Imaan. Without this belief there is no Imaan. Rasulullah's (sallallahu alayhi wasallam) mission abrogates--cancels--all previous religions, laws and Divine Books. The Qur'aan is the Final Law of Allah Ta'ala. It cancels all previous religions. There is no Najaat for the one who does not believe in the Deen of Islam as brought by Muhammad (sallallahu alayhi wasallam). No degree of piety and moral virtue can save one in the Akhirah if the *Risaalat* of Nabi-e-Kareem (sallallahu alayhi wasallam) was not accepted. The basis of Najaat is BELIEF and not practice. The worst Muslim--the one who squandered his life in sin and immorality, will finally enter Jannat--he will attain Najaat because he believed in the detailed Islam expounded by Muhammadur Rasulallah (sallallahu alayhi wasallam). For his evil he will be punished in Jahannum or he may even be entirely forgiven by Allah Ta'ala and be assigned directly to Jannat. On the other hand, the *kaafir*, no matter how "pious" he may be, no matter how wonderful a moral life of rectitude and "uprighteousness" he may have led, according to the Qur'aan he is the original fuel of Jahannum, for he has committed the supreme crime of treason--of rebellion against Allah Ta'ala. He has denied and refuted the Khalfah of Allah. Allah Ta'ala sent Muhammad (sallallahu alayhi wasallam) as His Representative to come and deliver His Final Message and Law. But, this puny man swollen up with pride feels that his "piety" is sufficient reason to reject and rebel against the Divine Representative, and inspite of his treason he fools himself by believing that he has a right to demand Najaat. May Allah Ta'ala save us all from such folly of kufr.

Q. *Some people in our community have nominated a woman for the presidency of the Muslim organization which is responsible for the affairs of the Mosque as well as other matters of the Muslim community. How does Islam view the nomination and election of a woman to a position of leadership?*

A. Rasulullah (sallallahu alayhi wasallam) said: "A community which assigns its affairs to a woman will never prosper."

It is un-Islamic to appoint a woman to be a leader of the Muslim community. The Shariah assigns the role of leadership to men. It is not the function of a woman to become or even aspire to be a leader of men. The Shariah has given her a distinctive role which she has to execute in privacy, i.e. in the home environment. It is not among her duties to enter into the domain of affairs which the Shariah has imposed on men exclusively. She is not to vie with men in a field which is not of her concern. In all matters pertaining to the realm beyond the home, the Shariah has assigned the leading role to men. Allah Ta'ala did not choose a single woman to be a Nabi. This Divine Choice amply illustrates that women are not to be the guides and leaders of men. Even in the spiritual domain of Tasawwuf there existed not a single female Shaikh or Murshid. Not a single Wali ever conferred the Mantle of Majaaz-e-Bay't upon a woman. Yes, women became and become *mureeds*, but not *Murshids*. The duty of a *mureed* is to follow and not lead. In all aspects, Islam relegates woman to a back-role. i.e. the role of the home. It is therefore, not permissible to nominate or appoint a woman to be a president or an official of a Muslim organization. Furthermore, Rasulullah (sallallahu alayhi wasallam) described women as *naaqisaatul aql* (of imperfect intelligence). Imperfection of intelligence is a natural attribute of woman. It can, therefore, only be men of imperfect and deficient intelligence who will appoint a woman to be their leader.

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* Neither My earth nor My heavens can bear Me.
Verily, only the heart of My Believing Servant can bear Me (i.e. Allah).

(Rasulullah-sallallahu alayhi wasallam)

TAQLEED

PATH OF ALLAH

The true, actual and only Being to Whom obedience and allegiance are offered is Allah Ta'ala. Following Rasul-ullah (sallallahu alayhi wasallam), the Sahaabah Kiraam and the Aimmah Mujtahideen is the way of achieving obedience to Allah Ta'ala. Hence, obedience to them means obedience to Allah Ta'ala in accordance with their guidance. They are the personalities who lead us towards the obedience of Allah Ta'ala. They explain to us how that obedience is attainable. Thus, the designation Hanafi, Shaafi, Maaliki and Hambali merely signifies that one has submitted to the obedience of Allah Ta'ala in accordance with the guidance and teachings of the Deen explained by these great Heirs of Rasulullah (sallallahu alayhi wa sallam). In saying that one is a Hanafi, Shaaafi, Maaliki or Hambali, the meaning is not obedience to the particular Mujtahid, but it merely indicates one's obedience to Allah Ta'ala in accordance with the teachings of the Deen expounded by one of these great personalities of Islam. There is, therefore, nothing wrong in being described as a Hanafi and Shaafi.

The relationship to any particular Imaam is merely on the basis of acceptance of his exposition of the Law of Allah Ta'ala. Such following is necessitated by the fact that those august men of the Deen possessed superior intellectual and other abilities to understand, comprehend and elaborate the Deen of Allah Ta'ala. Allah Ta'ala, in fact, not only exhorts, but commands the Believers to strike up such a relationship through which the obedience and proximity of Allah is attained. In this regard the Qur'aan Shareef states:

"Follow the path of those who turn towards Me [Allah]."
"Say [O Muhammad]: This is my road."

In the first ayat, Allah Ta'ala relates *Sabeel* (road) to those who turn and direct towards Allah Ta'ala. Such people in the first category are the Ambiyaa, then their heirs, their Sahaabah and then the Aimmah Mujtahideen. Thus the *Sabeel* in the ayat is related to Rasulullah (sallallahu alayhi wasallam), the Sahaabah and to all those Aimmah who directed the Ummah towards Allah Ta'ala. In the second ayat, the *Sabeel* is specifically related to Rasulullah (sallallahu alayhi wasallam). In another part of the Qur'aan, Allah Ta'ala says: "And they prevent (others) from the *Sabeel* of Allah." Here and in many other verses the *Sabeel* (Path) is referred directly to Allah Ta'ala. This indicates that the actual and only *Sabeel* is the Path of Allah. However, in spite of the Qur'aan commanding the Ummah to follow the *Sabeel* of *man anaaba ilayya* (the road of those who turn towards me), it is quite evident that their *Sabeel* is no other than the *Sabeel* of Allah. But, because the *Sabeel* of Allah is reached via the agency of men appointed for the purpose of directing towards Allah, it (the *Sabeel* of Allah) is figuratively related to the Nabi and to those who direct towards Allah Ta'ala.

The *Sabeel* of *man anaaba ilayya* is the same as the *Sabeel* of Allah Ta'ala. It is the same thing differently described. Its descriptive title is related to the one who was the means for directing the Mu'mineen towards Allah

Ta'ala. Therefore, the *Sabeel* of Imaam Abu Hanifah (rahmatu'llah alayh) is none other than the *Sabeel* of Allah. Imaam Abu Hanifah, Imaam Shaafi, Imaam Maalik and Imaam Hambal (rahmatullah alayhim) all fall within the purview of *man anaaba ilayya* (those who turn towards ME). Thus their *Sabeel*, their Way and their Guidance fall within the ambit of *sabeela man anaaba ilayya* (The road of those who turn towards Me). Allah Ta'ala, Himself attributes the *Sabeel* to such august personalities. No one then has the right to decry the designations such as Hanafi, Shaafi, etc., which relate the follower of Hidaayah to the Ustaad from whom he attained that guidance.

The Qur'aan Shareef commands: "Follow the millat of Ibraheem."

Its meaning is evident. It means: follow the Shariah or the Math-hab of Ibraheem. But, when this command is directed to the Ummah of Rasulullah (sallallahu alayhi wasallam) it means the Shariah of Muhammad (sallallahu alayhi wasallam). It should thus be clear that *Millate Ibraheem* is merely one of the titles of the Shariah of Muhammad (sallallahu alayhi wa sallam). And, the Shariah of Muhammad (sallallahu alayhi wasallam) is in actual fact *Sabeelullah* (The Path of Allah), which the Qur'aan variously describes as *Sabeela man anaaba ilayya*, *Sabeeli*, *Millate Ibraheem*, the Shariah, etc.

There is absolutely no reason to scorn the titles, Hanafi, Shaafi, Maaliki and Hambali. All these are within the confines and scope of *Sabeela man anaaba ilayya* and *Millate Ibraheem*. All such relative designations indicate nothing but the Shariah, the *Sabeel* of Allah Ta'ala. It is significant that in spite of Rasulullah (sallallahu alayhi wasallam) being the highest, the noblest and an independent Rasool with an independent Kitaab and Shariah which overrides and abrogates all former missions and Shariahs, the Qur'an attributes or relates this Shariah of Nabi-e-Kareem (sallallahu alayhi wa sallam) in description to Nabi Ibraheem (alayhis salaam). The title, *Millate Ibraheem* is thus given. Purely on the basis of a resemblance in the two Shariahs, Allah Ta'ala gives the designation, *Millate Ibraheem* to the Shariah of Muhammad (sallallahu alayhi wasallam). Similarly, the Math-hab of Imaam Abu Hanifah and of the other Aimmah, is nothing but *Sabeelullah*, the descriptive designation merely indicates the relationship to the Ustaad or Leader through whom one is being directed to the *Sabeel* of Allah.

If there is nothing wrong in describing a Muslim as a Pakistani Muslim, an Indian Muslim, an American Muslim, a Chinese Muslim, an Arab Muslim, etc., there can be absolutely nothing wrong in saying that a certain Muslim is a Hanafi Muslim, a Shaafi Muslim, a Maaliki Muslim, and a Hambali Muslim. The former denotes the place of birth or residence of the Muslim while the latter title indicates his reliable and authoritative source and path along which he journeys to reach Allah Ta'ala. Those who find fault with such titles indicative of relationship with the authority of guidance, are by implication denying the validity of the permissibility of such designations stated in the ayat, *Sabeela man anaaba ilayya*.

FAILING IN THE RIGHTS OF WOMEN

by Hadhrat Hakimul Ummat Maulana Ashraf Ali Thanvi

Men accord their consideration to the worldly rights (huqooq) of women. However, they do not regard themselves liable for the Deeni huqooq of their womenfolk. At times the husband will argue and quarrel with his wife in the mundane house-hold matters. He will find fault with her cooking for example, but never will he seriously concern himself with her Salaat and other Deeni obligations. If she displeases him in worldly matters he takes offence, argues with her and severely reprimands her. He makes his anger and displeasure manifest to her. But when she neglects her Salaat or other Shar'i duties he feels no pang of displeasure and remains unconcerned with her negligent attitude towards the Deen.

Then there are those husbands who are ostensibly religious. They too content themselves with a passing and careless reference to their wives' neglect of Salaat and other Deeni obligations. They feel that they have discharged their duty by mildly rebuking their errant wives. They may say something to the effect that neglect of Salaat is the great sin. In saying so, they deceive themselves into believing that their duty has been discharged. On the other hand, when the wife displeases her husband in worldly matters, he voices his anger and displays his displeasure to the degree that the wife readily understands the need to refrain from the act or attitude which had courted the displeasure of her husband. But in regard to her negligence of her Shar'i duties, even the religiously inclined husband offers half-hearted and flabby displeasure. The wife observing this careless and unconcerned attitude of her husband ignores his weak protestations offered on behalf of the Deen.

It is incumbent upon the husband to register his strong disapproval and voice his anger when his wife neglects her Salaat or other Islamic obligations. He has necessarily to be constant and firm in his concern over her negligence in her acts of Ibaadat. Should she ignore his reprimands, he has to institute other measures to compel her to submit to her Deeni obligations. For example, he should not sleep with her or he should not eat the food she has prepared.

Husbands are most negligent in this respect. It is not difficult for the husband to secure her submission to the Deen. He is the *haakim* (the ruler) and she the *mahkoom* (the ruled). It only requires sincerity and a true concern for the Deen. The husband for the sake of his worldly pursuits and desires is able to achieve the submission of his wife by utilizing his *hukoomat* (control and dominance). It is essential that he employs his *hukoomat* for the sake of the Deen.

KNOWLEDGE OF DEEN AND SCIENCE

In an article, *Islamic View of Medicine*, which appeared in *Bima*, the bulletin of the I.M.A. of S.A., certain erroneous views in the name of Islam have been expressed by the author of the article, viz., Ibrahim El-Sayyid. The views expressed are a distortion in that the writer has applied certain statements of Rasulullah (sallallahu alayhi wasallam) to the activities of the worldly scientists. But, the ahadith of Rasulullah (sallallahu alayhi wasallam) which Mr. El-Sayyid utilizes to air his personal opinion, have absolutely no relationship with mundane science and scientists.

The ahadith cited and misinterpreted by the writer of the article, apply solely and purely to Islamic--Deeni--Knowledge and the Ulama of the Deen whom Rasulullah (sallallahu alayhi wasallam) designated, *Warathatul Ambiyaa* (Heirs of the Ambiyaa). For the correct and Shar'i meaning of the ahadith on Knowledge which the writer has misquoted and misrepresented, write for our free booklet: *The Meaning of Ilm or Knowledge in Islam*.

UNITY?

Once Hadhrat Maulana Ashraf Ali Thaavi (rahmatullah alayh) gave a lecture on the topic of *bid'ah*. After the lecture a man commented that the Ulama should not talk on such controversial matters as this creates disunity in the Ummat. In reply Hadhrat Thaavi (rahmatullah alayh) said:

"Our talks depend on your practice. We will speak according to the deeds and conditions of the people. If people refrain from such practices, we too will refrain from such topics. Thus, the accusation of creating disunity is to be directed to the perpetrators of such deeds."

"JANNAT LIES UNDER THE SHADOW OF SWORDS."

Hadith

Studying a translation of the Qur'aan is dangerous for the general public. They should adhere to tilaawat of the Qur'aan Shareef. The Deen is being destroyed by people who look at translations of the Qur'aan and Hadith and then set themselves up as mujtahids. After having made a self study of the Qur'aan people consider themselves to be great experts. This is indeed a grave malady.

Hadhrat Maulana Thaavi

Children and the Musjid

BY Hadhrat Maulana Ashraf Ali Thaavi

Rasulullah (sallallahu alayhi wasallam) said:

"Keep away from the Musjids your children and your insane ones."

Nabi-e-Kareem (sallallahu alayhi wasallam) issued this instruction to safeguard the purity and the sanctity of the Musjid. This command brings within its purview the Musallaa (Eid Gah) as well.

Children as well as insane people are careless in regard to matters of *tahaarat* (purity). The possibility of them defiling the Musjid is strong. [In fact this has been observed in Musjids frequented by children. The carpets are defiled and have to be removed and washed with great difficulty. At times it is not even known if and where on the carpets the little kids had made najis. In Musjids with wall-to-wall carpeting it has been witnessed that the ignorant officials of the Musjid merely apply some form of liquid detergent and labour under the impression that the carpet has been purified. But it remains in fact impure. To purify the carpet it is necessary to remove the particular portion and wash it.---Editor].

Children also create a disturbance distracting the attention of the musallis. The Shariah therefore, does not permit bringing children to the Musjid. It is thus essential that people desist from this practice.

FREE BOOKLET

Our book, THE QUR'AAN AND THE FALLACY OF COMPUTER CONCOCTION, is now available. Write to The Majlis for your free copy. This is a 91 page book in refutation of the baatil interpretation that the *i'jaaz* or miraculous nature of the Qur'aan-e-Kareem is based on the Bahai holy number 19.

SINFUL HABIT

By Hadhrat Maulana Ashraf Ali Thaavi

The common habit of women in our day is to remain in a state of untidiness at home. At home they totally disregard their appearance and dress, but when they have to go out they adorn and beautify themselves. They are very anxious to present themselves in the best of appearance. They apply perfumes and other cosmetics.

It is essential that they realize that their action is in conflict with the Shariah. Their behaviour is the opposite of what the Shariah instructs. The Shariah exhorts women to beautify themselves for only their husbands and not for strangers. At the same time the Shariah commands that in the event circumstances compel them to go out of the home, they should go in a simple and unattractive state and not in the styles of embellishment of the people of ignorance. There is therefore a need for them to adopt the best of appearance when at home.

What is the motive for adornment and beautification when going out? And, why are they careless about their appearance and negligent about their attire when at home? The motive is evident and requires no discussion.

They will obtain reward for adorning themselves for their husbands while the wrath of Allah descends upon them if they embellish themselves for the vulgar gazes of outsiders. Rasulullah (sallallahu alayhi wasallam) said:

"A woman who applies perfume and goes by a gathering of men is like this and that [i.e. like an adulteress]."

As long as people persist in customs of innovation (*bid'ah*), we will steadfastly proclaim its prohibition. As for insults and abuse, we care not one iota. In the dissemination of the Deen we shall take insult in stride."

[Hadhrat Thaavi]

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When the animal is laid down facing the Qiblah, it is Sunnah to recite this du'a'a:

إِنِّي وَجَّهْتُ وَجْهِيَ لِلَّذِي فَطَرَ السَّمَوَاتِ
وَالْأَرْضَ حَنِيفًا وَمَا أَنَا مِنَ الْمُشْرِكِينَ
إِنَّ صَلَاتِي وَنُسُكِي وَمَحْيَايَ وَمَمَاتِي لِلَّهِ رَبِّ الْعَالَمِينَ
اللَّهُمَّ مِنْكَ وَلَكَ

ON WHOM IS QURBANI WAAJIB?

Qurbaani during the days of Eidul Adhaa is Waajib (compulsory) on all Muslims (male and female) who own wealth to the value of the Zakaat Nisaab on these days of Qurbani (10th, 11th and 12th Zil-Hajj). The Nisaab value is the price of 19, 68 troy ounces or 612, 3 grams of silver. Whoever possesses this amount of wealth during this period is liable to make the Qurbaani.

Qurbaani is not obligatory upon those who are not in possession of this amount of wealth (i.e. the Nisaab value of Zakaat). However, even if Qurbaani is not Waajib upon one, an effort should be made to make this great offering so that one may gain the tremendous amount of thawaab which the ibaadat of Qurbaani carries. After all, everyone makes effort to secure even unnecessary luxuries even if these cannot be afforded. But, an extremely lethargic attitude is adopted nowadays towards this noble sacrifice which is indeed of great significance. Rasulullahu (sallallahu alayhi wasallam) said that a *hasanah* (good deed) is recorded for every strand of wool or hair on the body of the sacrificed animal. A Muslim when hearing this promise of Nabi-e-Kareem (sallallahu alayhi wasallam) should reflect about this tremendous amount of *thawaab* to be obtained so easily and so cheaply. In our day in view of our neglect of the Deen and the extreme weakness of our ibaadat, we should not forgo such a wonderful opportunity to secure such colossal *thawaab* so easily. Who knows if one will be alive the following year to participate in this great act of ibaadat fixed by Allah Ta'ala in commemoration of the supreme Qurbaani of Hadhrat Ibraheem and Hadhrat Ismaeel (alayhimas salaam)!

SKIN OF THE QURBANI ANIMAL

The skin of the sacrificed animal may either be sold or retained for one's own use. If sold, the money has compulsorily to be given to the poor. The money derived from the sale of qurbaani skins cannot be used for Masjid purposes or for other acts of charity. It is necessary to give the money to such people who qualify to accept Zakaat.

THE QURBANI ANIMAL

The following types of animals can be offered for Qurbani.

Camels, oxen, buffaloes, goats and sheep.

Besides these animals, no other animals can be offered for Qurbaani.

A camel has to be at least five years old. Camels less than five years are not valid for Qurbaani. Oxen and buffaloes must not be less than two years. Goats should be at least one year of age. Goats of less than one year are not valid for sacrificing. Sheep too should be at least one year. However, if a sheep of less than a year is of such a big size that it resembles a sheep of one year, its Qurbaani will be valid. This applies to only sheep.

A camel, ox, cow and buffalo have seven shares in each. In other words, seven persons may sacrifice a single one of these animals. One person may also sacrifice the whole animal for his own Qurbaani. A goat or a sheep has only one share. Hence, a goat or a sheep can be sacrificed on behalf of only one person.

QURBANI FOR OTHERS

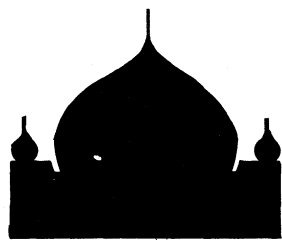
Qurbaani can be made on behalf of Rasulullahu (sallallahu alayhi wasallam), the Sahaabah, parents, relatives and friends who have passed away. Qurbaani is permissible on behalf of any Muslim who has died. Those whom Allah Ta'ala has blessed with sufficient wealth should utilize this great opportunity of Qurbaani to sacrifice animals on behalf of their dead who are always waiting anxiously and in expectation of *thawaab* from their relatives who still have the opportunity of earthly life.

Qurbaani on behalf of a living person is not valid without the permission of the person concerned.

QURBANI of MUSAAFIR

Qurbaani is not Waajib (compulsory) on the *musaafir* (one who has undertaken a journey of 48 miles or more). However this does not mean that the *musaafir* should refrain from making Qurbaani even if he is by the means and is able to procure an animal for the purpose. Qurbaani is an *ibaadat* of tremendous import. The *thawaab* for this noble act of sacrifice is truly great. No one conscious of the *Aakhirah* and in want of *thawaab* will unnecessarily cast aside this great act of *ibaadat*. The *musaafir* should, therefore, not be neglectful of this great act of sacrifice.

According to the Hadith Shareef, Rasulullahu (sallallahu alayhi wasallam) even while on journey made the Qurbaani. Hadhrat Abdullah Bin Abbaas (radiallahu anhu) narrated that on one journey a group of Sahaabah in the company of Rasulullahu (sallallahu alayhi wasallam) made Qurbaani while they were in *safr* (travelling). They sacrificed a cow on behalf of seven persons.



MASAA-IL ON QURBAANI (SHAAFI MAZHAB)

- * Qurbaani is Sunnatul Muakkadah alal Kifaayah, i.e. if a few members in the community make the Qurbaani, the duty will be discharged on behalf of the whole community. But, this does not mean that one should be negligent regarding the Qurbaani. Whoever can afford it should not miss the opportunity of offering the sacrifice. According to Imam Shaafi (R) it is Makrooh (reprehensible) for one who can afford the Qurbaani, not to make it.
- * Once the intention is made to make the Qurbaani, then it no longer remains Sunnat, but becomes compulsory. The Niyyat which will transform the Sunnat Qurbaani into a compulsory sacrifice is to the effect: "I intend this animal as a sacrifice."
- * If an animal is purchased with the intention of Qurbaani and that animal is lost or destroyed through no fault of the purchaser, then it will not be obligatory to replace the animal.
- * It is Sunnat for one to make his own Qurbaani with his own hands if he has the ability to do so. But, a woman should let someone else make the "zabab" (slaughter) on her behalf.
- * It is Sunnat for one to look on when one's animal is being sacrificed.
- * It is Sunnat for the one who intends making the Qurbaani not to cut any of his nails or remove any hairs from the body until after the Qurbaani has been offered (i.e. from the 1st Zil-Hajj until after sacrificing the animal).
- * If a sheep has not yet attained the age of one year then its Qurbaani could be made if the following two conditions are present:
 - (i) It must not be under six months.
 - (ii) Its front teeth must have been replaced with a new set.
- * It is not permissible to make Qurbaani on behalf of a living person without his permission nor is it permissible to make Qurbaani on behalf of a deceased if a Wasiyyat (bequest) was not made by the deceased.
- * It is not permissible to make Qurbaani of defective animals, e.g. blindness in one eye or both eyes; so much lameness that it cannot keep up with the flock; severe sickness which makes the flesh defective; an animal suffering from scabies; an animal with the ear or part of the ear cut (not necessarily one third as is the Hanafi Mazhab); an animal with the tail or part of the tail cut. Broken horns will not be considered as a defect.
- * If a vow was made unto Allah Ta'ala to make Qurbaani of a particular animal and that animal happens to be defective, then it shall have to be sacrificed notwithstanding the defects.
- * The period of Qurbaani is from after the Eid Salaat until sunset of the 12th Zil-Hajj.
- * At the time of slaughtering the animal, it is compulsory to make the Niyyat (intention) of Qurbaani otherwise the sacrifice will not be valid.
- * It is Sunnat to divide the flesh into three parts: one part for the poor; one part for friends and relatives; and, one part for one's own use. It is Waajib (compulsory) to give at least some of the flesh to the poor. It is Afdhal (better and of greater Sawaab) to give all the meat to the poor. But, if all the meat is given out a few pieces should be kept for one's own use so that one will not be deprived of the Barkat. It is not permissible to use more than one-third for one's own use.
- * It is not permissible to give Qurbaani flesh to non-Muslims.

TORTURE

Once Rasulullahu (sallallahu alayhi wasallam) saw a man sharpening his knife for the slaughter. The man had first thrown down the animal and began sharpening the knife in its presence. Rasulullahu (sallallahu alayhi wasallam) reprimanded the man and described this action as the infliction of a double death (i.e. torture) on the animal.

THE QURBANI MEAT

The *Mustahab* (best) method of distributing the qurbaani meat is to divide it into three equal parts. One part should be given to the poor, one part to one's relatives and friends and one part retained for one's own family. However, it is permissible to distribute all the meat to the poor or to any persons of one's choice even if they are not among the poor. One may also retain all the meat for one's own use.

Although it is permissible to retain all the meat for one's own use, the intention of the Qurbaani should not be the eating of meat. If one's intention is the meat, then the Qurbaani will not be valid since the purpose of Qurbaani is neither eating nor feeding. The purpose is to gain the Pleasure of Allah Ta'ala. It is therefore imperative that the *niyyat* is examined and purified.

It is not permissible to sell the Qurbaani meat nor is it permissible to give any part of the meat or of the animal to the labourers as wages for their labour.

Qurbaani meat may be given to non-Muslims as well. Rasulullahu (sallallahu alayhi wasallam) said:

QURBANI

THE PURPOSE

It is essential that the purpose underlying the *ibaadat* of Qurbaani be understood so that the sacrificer purifies his *niyyat* thereby gaining full *thawaab* for this momentous act of worship. The qurbaani which is offered on the special days of Zil-Hajj (10th, 11th and 12th) is linked to the supreme sacrifice offered by Hadhrat Ibraheem (alayhis salaam). The qurbaani practice is in fulfilment of the command of Allah Ta'ala to commemorate the noble sacrifice of Ibraheem (alayhis salaam) who submitted to the Wish of Allah Ta'ala and offered his son, Ismaeel (alayhis salaam) as the sacrifice. The acceptance by Allah Ta'ala of this supreme sacrifice of Nabi Ibraheem (alayhis salaam) was such that Allah Ta'ala commanded the Umma of Rasulullahu (sallallahu alayhi wasallam) with the annual renewal of this practice so that the memory of Nabi Ibraheem and Nabi Ismaeel (alayhimas salaam) be perpetuated until the Day of Qiyaamah. In this way has Allah Ta'ala honoured His Khaleel (beloved friend), Nabi Ibraheem (alayhis salaam). The annual qurbaani, if observed in the proper manner with sincerity, will kindle in the heart of the believer the true spirit of Imaani sacrifice. The following ayat throws light on the purpose of the qurbaani:

"Neither their flesh nor their blood reaches Allah, but it is your *taqwaa* [piety of heart] which reaches Him."

It will be clear now that the flesh of the animals is not the purpose of the qurbaani. The purpose of qurbaani is not feasting and feeding. The command to sacrifice animals on the specific occasion of qurbaani is not to eat meat nor to feed the poor although such requirements too are catered for. Nevertheless, eating and feeding the poor with qurbaani meat although meritorious, are secondary and not the actual purpose underlying the sacrifice. Those who offer the qurbaani should purify their intentions and render their sacrifice on the *taqwaa* of the heart. Any other worldly motives simply ruin the great *thawaab* which accrues to one making the qurbaani.

The very fact that in previous Ummats, the meat of sacrificed animals being not halaal, indicates the purpose of this practice. The flesh of the sacrificed animals has been made halaal for this Ummah as a special favour of Allah Ta'ala.

Since the actual purpose of qurbaani is a specific *ibaadat*--to commemorate Nabi Ibraheem (alayhis salaam), and not feeding or eating, the objection raised by certain people that the annual slaughter of thousands of animals constitutes a great waste, is utterly baseless and despicable. Waste will apply to only such expenditure lavished in conflict with the Shariah. Where the Shariah commands, there is no waste. On the contrary, refraining from the qurbaani on the basis of such behests of the nafs is *bukhl* (niggardliness). Wealth has been bestowed to the servants by Allah Ta'ala. He has commanded that such wealth be spent correctly in His Path. Qurbaani is wealth spent correctly in His Path. Qurbaani, irrespective of the cost and animals involved, is thus sacrifice and not waste. What is of greater value...money or life? Undoubtedly, life. But, Allah Ta'ala commanded Hadhrat Ibraheem (alayhis salaam) to slaughter his son. Ibraheem (alayhis salaam) complied wholeheartedly. The purpose was not to offer the flesh of his son to the poor. The purpose was to gain the Pleasure of Allah Ta'ala, and this was done with something which no amount of wealth could procure--with the life of his beloved son, Ismaeel (alayhis salaam). Ibraheem's (alayhis salaam) action was not waste nor was it murder. It was the noblest act of sacrifice because it was executed at the command of the Owner, Creator and King of all creation. Similarly, the annual slaughter of innumerable animals on the occasion of qurbaani is executed at the command of Allah Azza Wa Jal. No one therefore, has any right of lodging any objection to this noble practice of qurbaani.

During the early days of Islam a single person would make qurbaani of a 100 animals. Rasulullahu (sallallahu alayhi wasallam), himself offered qurbaani once of a 100 camels. It is essential that the attitude to qurbaani be rectified so that maximum benefit may be obtained. Rasulullahu (sallallahu alayhi wasallam) said:

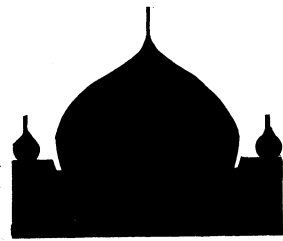
"Sacrifice happily [wholeheartedly, with sincerity and love], for your sacrificed animals will be your mounts on the *Siraat*."

QURBANI DU'AA

It is not compulsory that the *niyyat* (intention) at the time of making Qurbaani be declared verbally nor is it incumbent to recite the duaa. The intention for Qurbaani made in the heart is sufficient. However, it is better to recite the duaa verbally.

"The Qurbaani is accepted by Allah Ta'ala even before the blood of the animal reaches the ground [when slaughtering]. Therefore, offer the Qurbaani wholeheartedly."

A A N I



QURBANI MASAA'IL

THE HISTORY OF QURBANI

* It is best that the Qurbaani animal be procured at least a few days before the day of Eidul Adhaa. The animal should be well cared for and treated affectionately. In so doing one will be imbued with the spirit of sacrifice to a greater degree. The Shariah commands us to honour the Qurbaani animals and to treat them well.

* If an animal is specified for Qurbaani, its milk, wool, hair, etc., if removed, have to be given in charity to the poor or it may be sold and the money compulsorily be given to the poor.

* If an animal which has been specified for Qurbaani gives birth, the young animal too has to be sacrificed.

* On the day of Eid one did not possess the Nisaab value which makes Qurbaani *Waajib*. Qurbaani will therefore not be obligatory on one. However, before sunset on the 12th of Zil-Hajj one obtained wealth equal to or more than the Zakaat Nisaab value. Qurbaani will now be *Waajib* on one.

* Qurbaani is not obligatory upon a *musaafir* (one who has undertaken a journey of 48 miles or more). However, should the *musaafir* return home before sunset on the 12th Zil-Hajj or should he make the intention of staying over for 15 days at a place where he has halted on his journey, Qurbaani becomes *Waajib* upon him.

* It is best that a person slaughters his own Qurbaani animal if he has the ability of making *thabah*. If he is unable to slaughter another may do it for him.

* It is *mustahab* (preferable) for one to stand in the presence of the Qurbaani animal when it is being slaughtered. Females, however, should not be present if *ghair mahram* males happen to be around.

* It is *Waajib* to make Qurbaani only for oneself and not on behalf of one's children. Even if one's minor children happen to possess sufficient wealth, Qurbaani is not obligatory on them nor is it compulsory on their parents to make Qurbaani on behalf of their children. Should parents decide to make Qurbaani for their minor children, such Qurbaani will be a *Nafil* sacrifice and parents will have to use their own money for this purpose. It is not permissible to make Qurbaani for minors out of their (minors') wealth.

* In a cow, camel or buffalo are seven shares. The seven shares may be taken by a single person or seven persons. Qurbaani of more than seven people in an animal of this kind is not valid.

* If at the time of purchasing an animal in which there are seven shares, the *niyyat* was to make qurbaani of the whole animal (the seven shares) on behalf of oneself, then it is best to make the qurbaani as intended without taking partners in the qurbaani. However, if after having made this *niyyat*, partners are taken into the qurbaani, it (the Qurbaani) will be valid only if qurbaani was *Waajib* on the partner/s. If Qurbaani was not *Waajib* on any of the partners, it (the Qurbaani of the whole animal) will not be valid.

* When distributing the meat among the shareholders in a Qurbaani animal, the meat must be distributed by weight and not by estimating. Distribution of the meat by estimate is not permissible. The shareholder who takes the head, trotters and skin will have to take less meat than the other shareholders, and there is no fixed measure for this. As long as the meat is less than that of the other partners, the distribution will be valid.

NB Distribution of the meat by weight here refers to the distribution among the partners in the Qurbaani animal and not to general distribution to non-partners.

* If one on whom Qurbaani is not *Waajib* purchases an animal with the intention of making qurbaani, then Qurbaani will become *Waajib* (compulsory) on him.

* Qurbaani was *Waajib* on someone, but the days of Qurbaani passed by without the Qurbaani being made. There is now no alternative other than giving the price of a qurbaani animal in *Sadqah* to the poor. If one had procured an animal for the purpose, the very animal must be given in *Sadqah* to the poor.

If the Qurbaani was executed in fulfilment of the *Wasiyyat* of one who has died and such Qurbaani was made from the money of the deceased's estate, it is then *Waajib* to give all the meat in *Sadqah* to the poor.

The Virtues of QURBANI

Once the Sahaabah asked Rasulullah (sallallahu alayhi wasallam) about the origin of the institution of Qurbaani. Rasulullah (sallallahu alayhi wasallam) said:

"It is the *Sunnat* of your father, Ibraheem (alayhis salaam) and in his memory."

The Sahabah asked: "What *thawaab* is there for us in it?"

Rasulullah (sallallahu alayhi wasallam) replied:

"For every strand of hair of the animal a good deed [is recorded for you]."

Qurbaani or the sacrificing of animals to gain *thawaab* and the pleasure and proximity of Allah Ta'ala is a practice as old as mankind. Its inception was during the time of Hadhrat Aadam (alayhis salaam). The very first qurbaani was offered by Haabil, the son of Nabi Aadam (alayhis salaam). Haabil as well as Qaabil (also the son of Hadhrat Aadam--alayhis salaam) offered sacrifices. The sacrifice of Qaabil consisted of some grain and other fresh produce which he obtained from his farm while the sacrifice of Haabil was a sheep.

In those days acceptance of one's qurbaani by Allah Ta'ala was signified by the appearance of a fire from the sky. The fire descended and consumed the sacrifice which Allah Ta'ala had accepted. The sacrifice which was rejected by Allah Ta'ala was left untouched by the fire. In this way the insincerity and evil of the sacrificer would become known to all. In accordance with this heavenly phenomenon, the fire descended from the sky and consumed the qurbaani of Haabil while that of Qaabil was rejected. The fire did not consume it. Smitten with envy for his brother because of this, Qaabil murdered Haabil. Qaabil was thus the first murderer among mankind.

In Surah Aale Imraan, categoric reference is made to this sign of acceptance. The relevant ayat states:

"....such a qurbaani which is consumed by the fire."

This method of distinguishing between the accepted and rejected sacrifices remained in vogue until the advent of Rasulullah (sallallahu alayhi wasallam). As a favour, Allah Ta'ala cancelled this system with Rasulullah (sallallahu alayhi wasallam). The evil and insincerity of many are thus concealed.

A significant difference between the sacrificed animals of former Ummats and those of this Ummah is that the meat of the animals sacrificed was not *halaal*. No one could derive any use out of the animals which were sacrificed. This clearly indicates that the purpose of Qurbaani is not eating and feeding, but is to obtain the Pleasure of Allah Ta'ala. The cancellation of the prohibition thus making the consumption of the meat of the Qurbaani animals *halaal* for us, is a favour which Allah Ta'ala has bestowed on the Ummah of Muhammad (sallallahu alayhi wasallam).

Although qurbaani as an act of *ibaadat* commenced as early as the time of Hadhrat Aadam (alayhis salaam), a special rank of distinction has been conferred on this practice by virtue of the special episode of sacrifice enacted by Nabi Ibraheem (alayhis salaam) at the command of Allah Ta'ala. It was Nabi Ibraheem's (alayhis salaam) ready and wholehearted compliance with the order of Allah to slaughter his beloved son, Ismaeel (alayhis salaam) which had elevated the practice to the elevated pedestal it has occupied in the Shariah of Rasulullah (sallallahu alayhi wasallam). In honour of Hadhrat Ibraheem and Hadhrat Ismaeel (alayhimas salaam), Allah Ta'ala made the Qurbaani incumbent annually upon the Ummah of Nabi-e-Kareem (sallallahu alayhi wasallam). Thus, he who is by the means of honouring this command, but refrains, is indeed most unfortunate.

Importance

The importance of the Qurbaani may be understood from the following statement of Rasulullah (sallallahu alayhi wasallam):

"He who does not make the Qurbaani in spite of having the means to offer it, should not attend our Musallaa."

The Musallaa or Eid Gah is the vacant ground on the outskirts of the town where the Eid Salaat is performed. This Hadith does not prohibit the culprit from going to the Musallaa and performing the Eid Salaat. In fact, it is necessary for him to perform the Eid Salaat even if he has willfully neglected this great *ibaadat* of Qurbaani. Rasulullah (sallallahu alayhi wasallam), in this Hadith rather emphasises the importance of the Qurbaani and the evil of deliberately omitting it. One who willfully ignores the performance of the Qurbaani is like one who has dissociated himself from the general body of the Ummah, hence Nabi-e-Kareem (sallallahu alayhi wasallam) criticizes him so severely to jolt him into realizing the evil of his neglect.

THE DAYS OF QURBANI

The days of Qurbaani are the 10th, 11th and 12th Zil-Hajj. The actual time commences from after the Eid Salaat and lasts just until before sunset on the 12th Zil-Hajj. Although it is permissible to make qurbaani during the night, it is not advisable.

The best day for the Qurbaani is on the day of Eid, the 10th, then on the 11th and then on the 12th.

Qurbaani made before the Eid Salaat is not valid.

After slaughtering the animal this du'aa should be read:

اللَّهُمَّ تَقَبَّلْهُ مِنِّي كَمَا تَقَبَّلْتَ
مِنْ حَبِيبِكَ مُحَمَّدٍ وَخَلِيلِكَ
إِبْرَاهِيمَ عَلَيْهِمَا الصَّلَاةُ وَالسَّلَامُ

DEFECTS

For the validity of the Qurbaani it is essential that the animals are free of defect. The Qurbaani will not be valid if a defective animal is sacrificed. The following faults will be regarded as defects for the purpose of Qurbaani:

- (1) Blindness in both or one eye.
- (2) A third or more of an ear cut off.
- (3) A third or more of the tail cut off.
- (4) Total lameness in one or more legs. However, if the animal is partially lame or the leg is not so severely injured and it is able to walk with it although limping, then the animal will be valid for Qurbaani.
- (5) Extremely emaciated and weak.
- (6) The majority of teeth having fallen out. If the number of teeth which has fallen out is greater than the number of remaining teeth, the animal is not valid for Qurbaani.
- (7) An animal born without ears.
- (8) A horn broken off at the base or root. If the horn is only partially broken off, the animal will be valid for Qurbaani.

The above faults render the animal defective and unfit for Qurbaani.

A castrated animal is valid for Qurbaani and so is an animal born without horns.

SOME RULES

Qurbaani of animals, like all acts of *ibaadat*, has many rules. Observance of the rules (some obligatory, some optional) is essential for perfect discharge of the *ibaadat*. One important rule about which people are extremely negligent is the act of *thabah* (slaughter). Most people feel that Shar'i *thabah* is merely to slit the throat of the animal along with the recitation of Allah's Name. The many other rules ordained by the Shariah are totally discarded or ignored. Those who are aware of such rules pertaining to the proper Sunnah method of *thabah* make no effort to implement the proper Shar'i and Sunnah method. Wilful neglect of the rules connected with *thabah* is reprehensible and sinful. Such neglect being *Makrooh Tahrimi*, the perpetration of which is sinful.

The rules regarding *thabah*, the observance of which is essential are:

- * The knife should be properly sharpened. It is reprehensible to slaughter with a blunt or improperly sharpened knife.
- * The knife should not be sharpened in the presence of the animal.
- * The animal should not be dragged to the place of slaughter.
- * An animal should not be slaughtered in the presence of another animal.
- * After slaughtering one animal, remove it from the scene completely before bringing the next animal for slaughtering.
- * An animal should not be skinned in the presence of another animal.
- * Wait until the animal is completely motionless and cold before skinning. Do not begin skinning while there remains the slightest movement or warmth in the animal.
- * Face the animal in the direction of the Qiblah when making *thabah*.

SPECIFIED IBAADAT

Qurbaani is an independent act of *ibaadat* of the greatest merit. It is the *ibaadat* which the Shariah has ordained to commemorate the supreme sacrifice of Nabi Ibraheem (alayhis salaam) who readily offered his son, Ismaeel (alayhis salaam) as the sacrifice when Allah Ta'ala commanded him so in a dream. Since, the Qurbaani is a specific *ibaadat* having a specific purpose, there is no substitute for it. Money given in charity can never take the place of this *ibaadat*. If one, instead of sacrificing an animal, gives in *sadqah* the value multiplied manifold, it will never suffice and the obligation will not be discharged. Like Salaat and Saum will not be discharged by offering a substitute, so too will Qurbaani not be discharged.

Some people unaware of the importance and significance of Qurbaani argue that since there are no poor persons in their locality, the meat will go to waste. Thus, they argue, a better purpose will be served if the money is diverted to the poor and needy. This is a *shaitaani* and *nafsaani* trick which seems appealing to those ignorant of the Deen. Nothing and no act of *ibaadat* can take the place of Qurbaani. It is vital that those who are by the means execute this noble *ibaadat*. Rasulullah (sallallahu alayhi wasallam) has announced his dissociation from those who deliberately fail to make the Qurbaani.

ARAB ULAMA REJECT Qabar Pujari DECEPTION

After Molvi Raza Khan, chief of the Qabar Pujaari sect, had deceptively obtained a fatwa of kufr against the Ulama of Deoband some eighty or ninety years ago, the truth was made known to the Ulama of Haramain Shareefain (Makkah and Madinah). As a result of the fitnah which the grave-worshippers were creating in India on the strength of the fatwa of kufr acquired by deception and fraud, the Ulama of Makkah Mukarramah sent a list of 26 questions to the Ulama of Deoband.

The Ulama of Makkah Mukarramah commenced their questionnaire with the following address:

“O Respected Ulama and gracious leaders! Some people have attributed to your honourable selves beliefs of the Wahhaabi sect. They have presented some pages and pamphlets, the meanings of which, we are not aware because of the difference of language. We hope that you will inform us of the reality of the situation and about the statements [attributed to you]. We pose to you a number of questions regarding certain things in which the Wahhaabi sect differs with the Ahl-e-Sunnah Wal Jamaa’.”

(Insha’Allah, the 26 questions and their answers along with the statements of the Ulama of Makkah and elsewhere, will be published in book form by the Mujlisul Ulama--- Editor)

Hereunder appear the names and statements of some of the Ulama of the Arab World, who studied the answers given by the Ulama of Deoband to the 26 questions posed by the Ulama of Makkah Mukarramah. The answers to the 26 questions were given by the illustrious Hadhrat Maulana Khalil Ahmad Ambetwi (rahmatullah alayh) on behalf of the Ulama of Deoband.

STATEMENTS BY:

(1) Hadhrat Shaikhul Ulama Shaikh Muhammad Saeed Ba Baseel who was the Chief Shaaafi Mufti as well as Imaam and Khateeb of Masjidul Haraam at the time:

“I have studied these answers of Allaamah Fah-haamah, which were given to the questions in this tract. I have found the answers to be absolutely correct. May Allah Ta’ala reward my honourable brother, the unique and illustrious Shaikh Khalil Ahmed. May Allah perpetuate his [i.e. Maulana Khalil Ahmed’s] goodness and glory in both worlds and may Allah destroy until the Day of Qiyaamah through his medium the heads of those who have gone astray and of those who are envious. May this be accomplished through the grace of Sayyidul Mursaleen [sallallahu alayhi wasallam], Aameen.”

(2) Shaikh Ahmed Rashid Hanafi of Makkah Mukarramah:

“I have perused these wonderful answers to the intricate Masaa-il--answers prepared by a great and noble Aalim who is the apple of the eye of the Ulama and of mankind, who is a sample of the chosen and noble Ulama of former times, who is the eradicator of shirk and the eliminator of bid’ah, who is the destroyer of the people of crookedness and dhalaal, who is a Sword of Allah on the necks of the transgressing bid’atis gone astray, who is a unique faqih, my leader, my maulaa and my maulaathi, Hadhrat Haafez Shaikh Khalil Ahmed. May the Aid of Allah be with him at all times....

He has taken up the defence of the noble Shariah....he has raised the tower of Haqq and elevated the Standard of Hidaayah. He has strengthened the foundations of Guidance.....Truly wonderful is his exposition [on the 26 questions]....He has brightened the Path for the seekers of the truth....he has conformed with the Qur’aan and Hadith. In his explanation [in answer to the 26 questions] is great Naseehat for the Ahle Haqq. He has scattered and broken the ranks of the mischief-mongers, the mulhideen and the bi’d’atis. May Allah reward him on behalf of Islam and the Muslimeen a great reward by the grace of Sayyidul Mursaleen [sallallahu alayhi wasallam].”

Shaikh Muhibbudeen Muhaajir Makki Hanafi:

“All answers are correct.”

(4) Shaikh Muhammad Siddiqi Afghaani of Makkah:

“What Maulana Shaikh Khalil Ahmed has written is the Haqq and correct. In it is no doubt. Beyond Haqq is only dhalaal. These [i.e. the beliefs of the Ulama of Deoband] are our very beliefs as well as the beliefs of our Mashaaiikh. May Allah be pleased with them.”

(5) Allaamah Shaikh Muhammad Aabid, Mufti of the Maalikiyyah at Makkah Mukarramah:

“I have studied all the answers to the 26 questions and have found them to be the manifest Haqq. And, why would it not be so when these [answers] emanate from the Wing of the Deen and from the Refuge of the Believers. Most certainly, his explanations unravel the aayaat [i.e. explains it fully and correctly]. He [this Wing and Refuge of the Deen] is the revered Al-Haaj Khalil Ahmed who has been ascending the Ladder of Hidaayah and has remained fortunate.”

(6) Hadhrat Shaikh Muhammad Ali Bin Husain Maaliki of Makkah Mukarramah:

“Verily, I have found the answers of the Aalim, Allaamah Muhaqqiq, the gracious and honourable Al-Haaj Hafez Shaikh Khalil Ahmed on the 26 questions to be the Haqq. Baatil cannot appear before it nor from behind it. May Allah reward him magnificently....”

(7) Hadhrat Shaikh Sayyid Ahmad Burzanji who was the Chief Shaaafi Mufti in Madinah Munawwarah:

The following is an extract from his lengthy comment:

“The summary of the answers [pertaining to the questions regarding the allegation that the Ulama-e-Deoband claim that Allah speaks lies...Nauthubillah!] which Shaikh Khalil Ahmed [of Deoband] stated, is that it [the explanation of the Ulama of Deoband] conforms to the view of the Ulama of Kalaam in that it is within the Kudrat [Power] of Allah Ta’ala to act in opposition to His Promise, but that Allah Ta’ala will not do so because of His true Promise. This does not bring about kufr, inaad, bid’ah or fasaad in the Deen. And, how could it be so when it is in conformity with the statements of the Ulama of the Deen?.....Thus Shaikh Khalil Ahmed [of Deoband] did not go beyond the confines of the statements of the Ulama of the Deen.....”

The other Ulama who testified with their signatures to the correctness of the Deobandi Ulama’s beliefs are:

Hadhrat Rusoohi Umar, Shaikh Ahmad Al-Jazaairi (Shaikh of the Maaliki Math-hab), Shaikh Ahmed Bin Ma’mun Al-Bulghaish, Shaikh Mulla Mahmud Khan Hanafi, Shaikh Umar Bin Hamdaan Al-Muhrasi, Shaikh Muhammad Taufeeq, Shaikh Ahmad Bin Muhammad Khair Al-Abbaasi, Shaikh Abdul Qaadir Bin Muhammad Bin Saudah, Shaikh Mahmud Abdul Jawaad, Shaikh Ahmad Bin Ahmad As’ad, Shaikh Ibn Nu’maan Muhammad Mansur, Shaikh Ib Bisaati Shaikh Abdullah, Shaikh Mulla Abdur Rahmaan, Shaikh Muhammad Hasan Sindi and Shaikh Muhammad Bin Umar Al-Fulaani (Rahmatullaah alahim).

The following is an extract from the statement of Shaikhul Ulama, Shaikh Ahmad Bin Muhammad Khair Al-Shanqeethi Maaliki of Madinah Munawwarah:

“I have studied the tract of Ustaaz Muhaqqiq Mudaqqiq Shaikh Khalil Ahmed. May the grace and aid of Allah, The One and Eternal, King ever remain with him. I have found everything written by Shaikh Khalil Ahmed to be in conformity with the Math-hab of the Ahl-e-Sunnah.”

Shaikh Saleemul Bushee, the then Shaikh of Jaami’ Azhar of Egypt commented on the answers which Shaikh Khalil Ahmed of Deoband gave to the 26 questions posed by the Ulama of Makkah Mukarramah:

“I have studied this noble tract and have found it comprising of the true Aqaa-id [beliefs] which are the Aqaa-id of the Ahl-e-Sunnah Wal Jama’....”

Shaikh Sayyid Muhammad Abul Khair Naqshabandi of Damascus stated:

“I have found this wonderful tract to be the absolute truth and to consist of the beliefs of the Ahl-e-Sunnah Wal Jama’, undoubtedly.

Other Ulama of note of Syria, who testified to the correctness of the beliefs of the Ulama of Deoband are: Shaikh Mustufa Bin Ahmad Shaati Hambali, Shaikh Mahmud Rashid At-taar, Shaikh Muhammad Booshi Hamawi Azhari, Shaikh Muhammad Saeed of Hama, Shaikh Muhammad Adeeb Hauraani of Hama, Shaikh Abdul Qaadir of Hama, Shaikh Muhammad Saeed of Hama Shaikh Muhammad Saeed Lutfi Hanafi, Shaikh Faaris Bin Ahmad Shaqfah of Hama and Shaikh Mustufa Al-Haddad.

The above-mentioned statements and names of the Ulama of Makkah, Madinah, etc. are ample testimony for the truth of the Beliefs of the Ulama of Deoband. This testimony makes abundantly clear that the Ulama of Deoband are the Ulama of Haqq. It is further clear that the former fatwa of kufr which the Qabar Pujaari group had obtained was by deception and fraud, frauding even the signatures and seals of the Ulama-e-Haq. In fraud and deception, the grave-worshippers excel. No intelligent and unbiased Muslim can now doubt the Haqq of the Ulama of Deoband.

BIDAH

The case with all Bid’ah is the same, viz., they are accretions to the Sunnats, thereby displacing the Sunnah.

Imaam Rabbaani

Commenting on the Bid’ati’s interpretation of bid’ah, i.e. the division of bid’ah into two categories, viz., Bid’ah Sayyiah (evil innovation) and Bid’ah Hasanah (beautiful innovation) and their application of the term, Bid’ah Hasanah to their innovated practices, Imaam Rabbaani, Mujaddid Alf-e-Thaani (rahmatullah alayh) says:

“Until when one does not abstain from Bid’ah Hasanah like one abstains from Bid’ah Sayyiah, one will never attain the fragrance of this wealth (of Nafs-e-Mtmainnah). Today it (abstention from innovation) seems difficult because the whole world is drowned in the ocean of bid’ah and trapped in the blindness of bid’ah. Who then has the courage to ward off bid’ah and claim the revivification of the Sunnah? (Maktoob 54, Daftar II, addressed to Sayyid Shah Muhammad)

This Faqeer regards every bid’ah as an axe which strikes at the foundations of Islam. Sunnats are like bright stars which dispel the deviation of bid’ah in the darkness of the night showing the Hidaayat.

(Maktoob 23, Daftar II)

GRAVES

The mazaaraat (graves) of the Auliya are being venerated as objects of worship. Such graves are built into solid structures and adorned in various ways which are not allowed by the Shariah. The ostensible motive for all these embellishments to the graves is to honour the Auliya buried therein. But, this honour is shown in an evil way because according to the Shariah this manner of honouring the Auliya is haraam.

Honouring the Auliya is not confined to adornment of graves and the conversion of the graves into solid structures. The Auliya will remain honourable even if their graves are left in the natural simple, unbuilt and unadorned state. In fact, their graves will command greater respect, honour and awe if left in the natural state, for more anwaar (rays of spiritual light) descend on graves left in conformity with the Sunnah. The grave of Hadhrat Shaikh Bakhtyaar Kaaki (rahmatullah alayh) has been left in the natural state. So great is the awe and reverence that overcomes the visitor that he is able to perceive the difference of the simple grave. Not even a minute portion of such awe can be felt at the graves of even kings. He who has eyes (the eyes of the rooh) will perceive the decent of the anwaar on graves left in the state of simplicity--graves not built or cemented over.

Those whose spiritual eyes have become blind should at least be able to understand that anwaar are dependent on the observance of the Sunnah and graves built-up and adorned are contrary to the Sunnah. Obliteration of the Sunnah results in the obliteration of anwaar. Kings and the people of wealth were responsible for embellishing the graves of the Auliya in this un-Islamic and proscribed manner. The Auliya never indulged in such futile and harmful practices. It should be readily understood, therefore, that such structures erected by the worldly kings and others will be devoid of anwaar.

The construction of graves in such anti-Shariah ways is totally in conflict with the disposition of the Auliya. They were ardent and great followers of the Sunnah. They countenanced not the slightest deviation from the Sunnah of Nab i-e-Kareem (sallallahu alayhi wasallam). Their lives were dedicated to the Sunnah and through observance of the Sunnah in the minutest detail they sought the pleasure and love of Allah Ta’ala. These haraam trappings embellishing the graves are most certainly intolerable and abhorrent to the Auliya.

Furthermore, such haraam ways of adorning the graves defeat the purpose of ziyaarat (visiting the graves). The purpose of visiting the graves is to induce in one the remembrance of maut (death) and to create in one the realization of the transitory and perishable nature of this earthly life. This purpose is achieved only if the graves are left in their natural, simple and forlorn state. Forlorn graves produce in the heart remembrance of maut and disillusionment with the ephemeral existence. Graves adorned un-Islamically and in royal style do not serve this purpose.

It is also claimed that adorned graves instil love and respect in the heart for the Auliya. However, in reality this claim is devoid of substance. It is comparable to the practice of ta’ziyah (the float processions of shirk of the Shiahs). Those who indulge in the practice of ta’ziyah profess their love and respect for the Martyrs of Karbala by wailing in profusion on the occasion of the ta’ziyah ceremonies. They are unable to shed tears or to show their love in the absence of ta’ziyahs. Their love is dependent on ta’ziyahs. Their crying is dependent on ta’ziyahs. But true love and respect do not stand in need of such forms of adornment and embellishment.

Can anyone claim that the Sahaabah Kiraam had no love for Rasulullah (sallallahu alayhi wasallam)? Their intense love did not allow the water dripping from the holy body of Rasulullah (sallallahu alayhi wasallam) to fall onto the ground. While Rasulullah (sallallahu alayhi wasallam) would make wudhu the Sahaabah would take the dripping water into their hands and rub it over their faces. But, these men whose love was so profound and so true left the grave of Rasulullah (sallallahu alayhi wasallam) in the simple natural state. They did not convert the holy grave into a solid structure. They did not adorn the grave of Rasulullah (sallallahu alayhi wasallam). They retained the grave simple because they were aware that Rasulullah (sallallahu alayhi wasallam) had forbidden the conversion of graves into solid structures. Thus their love demanded that they obey and follow the teaching of the one whom they loved so dearly.

It is also argued that in embellishing the graves of the Auliya and in building them as solid structures, their memory and location are perpetuated. This argument too is fallacious. Perpetuating their memory is dependent on Allah Ta’ala and not on the erection of haraam structures and the adoption of haraam forms of decoration. Numerous built-up and solid graves exist without anyone even knowing the names of the inmates of these graves. The correct way of perpetuating the memory of the Auliya is not by building their graves, but by perpetuating their Wilaayat (mission of sainthood), their excellences of Ma’rifat and their noble lives. The Auliya are not in need of these unlawful forms of memory-perpetuation schemes invented by the ignorant worldly people.

It should also be borne in mind that the actual purpose of Maut is annihilation and not perpetuation. One dies to be annihilated and not to be perpetuated. In view of this it is nonsensical to arrange material ways of perpetuation.



TASAWWUF

By HADHRAT MASEEHUL UMMAT,
MAULANA MUHAMMED MASEEHUL KHÁN SHERWÁNI



Harms

The bandits along the Path of spiritual progress are sin and disobedience to Allah Ta'ala. All kinds of sin are impediments in the spiritual road leading towards Allah Ta'ala. However, there are certain evils which are specially destructive and retard greatly the onward progress of the one who has set out in quest of the Nearness of Allah Ta'ala. It is absolutely vital that the *Mureed* abstains from such harms. Indulgence in such evils will lay to utter waste the efforts and struggles of the *Mureed* along the Road. Some of these fatal impediments are explained hereunder.

OPPOSITION TO THE SUNNAH

Alas! In the present age customs and innovations (*bid'ah*) are in great prevalence. In certain quarters innovation is being interpreted as *Tasawwuf* and is being perpetrated in the guise of the inner dimension (*Tareeqat*) of Islam. But this is highly dangerous. Rasulullah (sallallahu alayhi wasallam) said:

"Soon there will dawn an age over people when nothing will remain of Islam but its name; and nothing will remain of the Qur'aan but its script."

Indeed, this is the disaster which has overtaken the Ummah. The Qur'aan and the Sunnah (Islam) have been replaced with innovation.

AN IRRELIGIOUS GUIDE

A great danger is inadvertently becoming the *mureed* (disciple) of an irreligious guide (*peer*) and then clinging to him despite the error in having accepted him as one's *murshid* (spiritual guide). Such a *peer* can never lead one towards Allah Ta'ala because he, himself has not reached Allah Ta'ala. How can he secure spiritual progress and success for his *mureed* when he himself has failed to attain that goal? Once the error is realized, the *mureed* should with respect dissociate himself honourably from such a *peer*. After having terminated his relationship with the irreligious *peer*, the *mureed* should not denigrate his former *peer* notwithstanding his irreligiosity.

ASSOCIATION WITH THE OPPOSITE SEX

Of great spiritual harm is to associate with females which are in the prohibited category. Inclining towards females is a great calamity in the Road towards Allah Ta'ala. Casting lustful and surreptitious glances at females wrecks one's spiritual progress. He who considers this calamity lightly is ruined. Few people control their eyes. The eyes too commit zinaa (fornication) and the zinaa of the eyes is the stepping-stone to actual zinaa. Remember this well and understand it.

SODOMY

Worse than association with females is relationship with lads. Sodomy is by far more destructive than fornication. Its ruin is utterly calamitous. Rasulullah (sallallahu alayhi wasallam) said that all the *malaikah* of the seven heavens curse the one who commits homosexuality. The intensity of their *la'nat* is sufficient for the destruction of the *mal'oon* (the accursed). This warning was repeated by Nabi-e-Kareem (sallallahu alayhi wasallam) thrice. Rasulullah (sallallahu alayhi wasallam) also said that Allah Ta'ala abhors to look at one who indulges in homosexuality.

EVILS OF THE TONGUE

Among the great obstacles in the Path of spiritual progress is speech in abundance. Speech here refers to sinful and nonsensical talk. Even if the talk is not sinful, it is sufficient to impede greatly the progress of the *rooh* (soul) if it is futile and nonsensical. Claiming excellences and virtues for oneself and speaking disrespectfully of any aspect of the Shariah are particularly harmful and retrogressive.

O MAN!

In the Tauraah, Allah Ta'ala calls upon man and says:

* O man! Never fear any shaitaan and king as long as My Reign endures.

* O man! Never worry about your rizq as long as you find My Treasury full. My Treasury never will become empty.

* O man! When you become helpless in any affair, call Me and most certainly you will find Me. I am the bestower of all goodness.

* O man! Be assured that I regard you as My friend. You too consider Me as your Friend.

* O man! Never become fearless of Me until you have crossed the Siraat (in Qiyaamah).

* O man! I have created you out of dust, sperm and a blood-clot. I was not devoid of power in creating you. How can I be without power in feeding you? Why then do you seek from others?

* O man! I have created all things for you and you have I created for My Ibaadat, but you have become trapped in that which has been created for your service. You have drifted away from Me for the sake of others.

SALAAT

Of all forms of ibaadat, the most efficacious in achieving spiritual advancement is *Salaat*. *Salaat* is an all-embracing form of ibaadat. It comprehends and takes within its fold all forms of devotional exercises and if executed properly, observing all its rules, conditions and etiquettes, no other specific form of extra spiritual exercise (*riyaadhat*) will be necessary for the progress of the *rooh* and for strengthening one's bond with Allah Ta'ala.

Salaat contains *thikr*, *shaghl*, *muraaqabah*, and *auraad*. The *thikr* in *Salaat* is its *Qiraa't* (reciting the Qur'aan Shar-eef). In fact, this is the highest form of *thikr*. *Shaghl* in *Salaat* is the engrossment of the mind. This consists of focussing the attention on the spot of sajdah during *qiyaam*; on the feet during *ruku'*; on the bridge of the nose in sajdah; on the lap in *jalsah*; and on the shoulders when making *salaam*. *Muraaqabah* in *Salaat* is to contemplate at the time of Takbeer Tahrimah and keeping in mind for the entire duration of *Salaat* that: *Allah is watching me*. This state of permanent contemplation in *Salaat* is called *Ihsaan*. All *mujaahadah* and *riyaadhat* are undertaken to attain the goal of *Ihsaan*.

Spiritual progress and the stage of *Ihsaan* can be attained thus by means of *Salaat* properly rendered. In this way, the effects of the spiritual faculties (there are six called *Lataaif-e-Sittah*) will become manifest.

Terms

MEANINGS OF TERMS USED IN ARTICLES APPEARING ON THIS PAGE

Zaahiri: External sins executed by the external organs of the body.

Baatini: Internal sins committed by the heart.

Sagheerah: Minor sins.

Kabeerah: Major sins.

Saalik: The *mureed* who travels along the Path of spiritual purification.

(*Mureed*: The disciple who purifies himself and progresses along the Path of the Deen under the instruction and guidance of a Shaikh of Tasawwuf.

Sulook: The internal dimension of the Deen or the *Rooh and Heart* of the Deen. The Path of spiritual purification and adornment.

Mashaaikh: Plural of Shaikh--a Spiritual Guide.

Wusool: Attaining Divine Proximity

Usool: Foundations)

TO DIE

Rasulullah (sallallahu alayhi wasallam) said:

"Die before death overtakes you."

The conception of *maut* before *maut* means to transform one's condition so that one is imbued with the attributes of the dead even while one is still alive. At the time of death, man is overtaken by certain attributes the inculcation of which is exhorted by the Hadith Shareef. These attributes exist in the dying man in a high state of perfection. They are: *taubah* (repentance), *zuhd* (abstention), *qanaa'at* (contentment), *tawakkul* (trust in Allah), *azlat* (dissociation from the world), *tawajjuh ilallaah* (attention directed to Allah), *sabr* (patience), *ridhaa* (pleasure with Allah), *thikr* (remembrance of Allah) and *muraaqabah* (contemplation of Allah).

While in the state of life, one has to inculcate these attributes which become natural for the dying man. In this earthly life while the body is on earth, the *rooh* should be directed to Allah Ta'ala and the *Aakhirah*. Even the possession of the kingdom of the world should not affect one's heart. At all times the heart has to be devoid of worldly love. The *rooh* has to be detached from worldly relationships.

The sign of this lofty state having settled over one, is that one abstains totally from all things branded evil, harmful and futile in the Shariah. The mind, the tongue and the entire body has to be sealed so that evil and futility do not penetrate. The heart has to be emptied of all things other than Allah Ta'ala.

A man dwelling in this lofty state of purity and communion with Allah Ta'ala is always aloof from gatherings and associations of futility. Whatever diverts the mind from Allah Ta'ala is futile and nonsensical. The one in quest of the Truth does not associate with men of *baatil*. A man who does not pursue the Path of Allah is in fact a man of *baatil*.

O Beloved friend! This is the meaning of *die before death*. This is the state which Rasulullah (sallallahu alayhi wasallam) desired for his Ummah, and in this state lies the success of the Ummah-- success in both worlds.

NASEEHAT

* A heart which cannot find enjoyment in worldly associations and relationships is the sign of the heart enjoying its connection with Allah Ta'ala.

* Sleep with *maut* under your pillow and have not much hope in life when you rise in the morning.

* Never consider sin to be insignificant. Regard all sin to be grave. He who takes sin lightly considers Allah Ta'ala to be insignificant.

* Be ever watchful over your *nafs*.

* Of greater importance than acts of devotion is abstention from sin.

* *Sabr* of a high degree is to be contented with one's lot.

* Acquisition of Deeni knowledge demands true courage.

* Association with the pious is nobler than acts of piety and association with the evil is worse than acts of evil.

* He in whom there exists even a grain of vanity and falsehood is not anchored in *ma'rifat* (inner recognition of Allah Ta'ala).

* Freedom is attained by curbing the desires of the *nafs*.

* Elimination of envy occasions the love of Allah Ta'ala.

* Abstain from the companionship of a friend who causes you no benefit of the *Aakhirah*.

* The friendship of worldly persons is comparable to fruit of a beautiful colour, but vile in taste.

* The knowledge of a man who prefers conversation with people to the *thikr* of Allah is insignificant; his heart is blind and his life is barren.

* The lowest degree of harm which befalls a man who befriends the world is the elimination from his heart of the pleasure of Allah's *thikr*. This is the least harm.

* Have no hope on man and have no greed in the heart for anything man possesses. All creation is dependent on Allah.

* Be with creation, but keep the heart aloof. Your body should be with people, but the heart with the Creator.

THOUGHTS

Sometimes a good thought or idea occurs to one. However, good ideas are not always from Allah Ta'ala. At times the shaitaan in order to mislead whispers a good idea into one. It is, therefore, essential to distinguish between virtuous thoughts entering the mind from Allah Ta'ala and bright ideas from the side of shaitaan. A good idea having the following ingredients is from shaitaan.

* The idea produces total and unrestrained delight. There is no apprehension or *khauf* (fear) in the thought.

* The idea demands haste. One wishes to execute the idea in all haste. The haste is unrestrained.

* The thought is about something or an act, the consequences of which are not taken into consideration.

However, if the good thought is accompanied by delight tempered with concern or fear (*khauf*) and one is concerned about the consequences if the act is executed then such a thought is from Allah Ta'ala.

When an evil thought smites one, engagement in *thikr* is efficacious in the elimination of the evil thought. There is great power in *thikr*. Shaitaan is inherently weak, hence the thoughts he whispers in man are weak and their elimination is readily secured by means of *thikrullaah*. In this regard Rasulullah (sallallahu alayhi wasallam) said:

"Verily, shaitaan clings to the heart of man. When man remembers Allah, shaitaan retreats [from the heart of man] and when man becomes neglectful of Allah's remembrance, shaitaan asserts himself with his whisperings [into the heart of man]."

Sidq

The first step of the *Mureed* in the Path of *Sulook* is *Sidq* (truth and sincerity). *Sidq* is of fundamental importance so that the edifice of virtue and piety be reared on solid foundations. The *Mashaaikh* have explained that *Mureeds* have been deprived of *Wusool* because they have destroyed the *Usool*. Thus, the first step in the direction of Allah Ta'ala and the attainment of piety is to rectify beliefs. Such rectification is obligatory. *Aqaaid* (beliefs) which bind man with Allah Ta'ala have necessarily to be free of all taints of doubt, suspicion, error, and innovation and should be based on absolute proofs of the Shariah.

Sin

It is incumbent on the *Mureed* to seek forgiveness from Allah Ta'ala for all sins. He has to abstain from sin, be it of the *zaahiri* or *baatini* nature and be it *sagheerah* or *kabeerah*. He has to make his peace with those who have rights (*huqooq*) over him. The Road of *Sulook* will not open up for the *Saalik* who fails to make peace with the *Ahl-e-huqooq* (people of rights or people to whom he is obligated in any affair whatever).

NAFS

TASAWWUF ghaflat

In man there exists the faculty of desire. This faculty of desire is called *nafs*. This desire encompasses both virtue and evil. The *nafs* desires both vice and virtue. In its development, the *nafs* passes through three stages, viz., *Ammaarah*, *Lawwaamah* and *Mutmainnah*.

AMMAARAH: In this stage the *nafs* is overwhelmingly in the desire of evil. Evil dominates it and it experiences no regret for its evil commissions and omissions. The lowly stage is also called *hawaa-e-nafs*.

LAWWAAMAH: In this stage the *nafs* suffers remorse. It regrets when afflicted by evil desires.

MUTMAINNAH: **MUTMAINNAH:** In this stage the *nafs* is dominated by the desire of virtue.

S A B R

Adopt *sabr* when someone displeases you and speak Never regard yourself to be perfect or possessing excellences. Ponder before speaking. Speak only after you have convinced yourself that what you intend to say is beneficial. Do not speak ill of even an evil person. Do not listen to sinful talk.

KNOWLEDGE

After the *Mureed* has rectified and strengthened his *Aqaa'id* (beliefs) with Allah Ta'ala, it becomes incumbent on him to acquire a sufficient amount of Deeni knowledge. Such knowledge may be acquired by systematic study in a Madrasah or by enquiring from an Aalim. The acquisition of knowledge of the Shariah is essential so that duties and obligations may be correctly discharged.

JAH

It is incumbent on the *Mureed* to eliminate *jah* (the desire for name and fame). *Jah* is a great obstacle in the Path of the development of the *Rooh*. Acceptance and rejection of him by people should be on an equal footing to the *Mureed*. Until he has not eliminated *jah*, he will gain nothing. The greatest of harm results to the *Mureed* if he desires that people honour and respect him. *Jah* is a fatal poison for the *Mureed*.

Reducing Association

It is essential that the *Mureed* reduce his relationships and wordly activities because the edifice of *Sulook* is reared on the peace of the heart. Wordly associations wreck the state of peace of the heart. Reduction of relationships refer to non-essential association.

THE SUNNAH!

Those who yearn for spiritual development and progress have to inculcate in their lives the Sunnah of Rasulullah (sallallahu alayhi wasallam). In every facet of their lives should they follow Nabi-e-Kareem (sallallahu alayhi wasallam). Obedience to the Sunnah imbues the heart with much *Noor*.

SULOOK

Sulook or the Journey unto Allah Ta'ala consists of two stages:

(1) *Ser ilal laah* (2) *Ser fil laah*.

SER ILAL LAAH means to journey towards Allah Ta'ala. This stage of *Sulook* consists of two fundamentals, viz., (a) Purification of the *nafs* from the lowly bestial ailments known as *akhlaaq-e-razeelah*. (b) Adornment of the heart with the lofty attributes, known as *akhlaaq-e-hameedah*. This process is also termed *tahliyah* and is likewise referred to as *tajalliyah*. In *Sulook* the acquisition of this stage is described as *Maqaamaat*.

After the *Mureed* has gone through the systematic purification of his heart and after having acquired the lofty attributes of adornment (i.e. he has acquired *maqaamaat*) it will be said that he has now attained the stage of *Ser ilal laah*. In other words he is now prepared for the higher journey towards Allah Ta'ala.

SER FIL LAAH means to journey in Allah. Upon having reached the stage of *Ser ilal laah* the heart of the *Saalik* becomes imbued with a special celestial glitter (*jalaa*) and *noor* permeates his heart. The heart then remains aloof at all times from all creation and is perpetually in the state of Divine Cognition. In this stage of *roohaani development* the heart is truly engrossed with Allah Ta'ala. In this lofty stage of spiritual absorption, matters regarding the *Thaat* (Being) and *Sifaat* (Attributes) and *Afaal* (Acts) of Allah Ta'ala become manifest to the *Saalik*. Other forms of *Haqaa'iq* (realities) as well are manifested to him. This stage of the Spiritual Sojourn is termed *Ser Fil laah*.

There are no limits in the realm of *Ser fil laah*. Progress is infinite and is in proportion to the *Saalik's* ability and absorption with Allah Ta'ala. Once the *Saalik* has attained this stage, he attributes absolutely nothing to himself. Everything is attributed to Allah Ta'ala.

Ghaflat (negligence of the heart) overtakes man when he attaches his heart to worldly associations. The remembrance of Allah Ta'ala is then dimmed in his heart. He fails to experience the sweetness which such *thikr* produces in the heart. Man, in order to maintain fresh and vigorous his bond of love with Allah Ta'ala, should not allow *ghaflat* to overtake him. Such *ghaflat* can be warded off and man can remain alert to the forces of spiritual annihilation by guarding his association with people. He should associate only to the degree of necessity. Even in such necessary association his heart should remain aloof from people although his body is with them. He should constantly keep his heart alert with Allah's *thikr*. It is imperative that man beware of the *ghaflat* which association and especially unnecessary and futile association, brings in its wake. Man must beware of such negligence lest he conforms with people in a way which countenances the displeasure of Allah Ta'ala.

RUIN

Ruin comes to a person from six avenues:

- (1) Weakness in one's intention regarding acts pertaining to the Aakhirah.
- (2) Obedience to the dictates of shaitaan and initiating moves in that direction.
- (3) Despite nearness of maut to entertain distant hopes and ambitions.
- (4) To act in accordance with the pleasure of people instead of preferring the Pleasure of Allah Ta'ala.
- (5) Abstention from the Sunnah as a result of obeying the *nafs*.
- (6) To cite the errors of previous Auliya in order to back up one's wrong deeds and to bury their excellences and virtues.

TAUBAH

There is *taubah* for every part of the body. The *taubah* of the heart is its resolve to abstain from *haraam*. The *taubah* of the eye is to refrain from glancing at things forbidden. The *taubah* of the ear is to refrain from listening to evil and nonsensical talk. The *taubah* of the hands is to control them from things prohibited. The *taubah* of the feet is to refrain from walking towards that which is forbidden. The *taubah* of the stomach is to abstain from eating what is *haraam*. The *taubah* of one's modesty is to abstain from acts of immorality.

Taubah means to repent...to turn to Allah Ta'ala with a heart full of regret and sorrow for disobedience which one has committed. There are two kinds of *taubah*, viz., *Taubah-e-Inaaabat* and *Taubah-e-Istijaabat*.

Taubah-e-Inaaabat is repentance induced by the fear of Allah's punishment. One turns towards Allah Ta'ala seeking forgiveness for sins because one fears that His Wrath and *Athhaab* will overtake one.

Taubah-e-Istijaabat is to resort to *taubah* because of shame. The sinner feels ashamed of having displeased his Creator and Benefactor.

Enliven the Heart

Endeavour to remain in the company of those who engage in *Thikr*, for such companionship produces *Noor* and courage in the heart.

REGRET

Three types of persons depart from this earthly life full of regret.

- (1) A man who spent his life in the pursuit and accumulation of wealth but never attained contentment.
- (2) A man who had not obtained what he had wished for.
- (3) A man who did not build up his capital for the Aakhirah.

Your Witnesses

Your recitation of Laa ilaaha ila laah is your claim. Obedience to commands, abstention from prohibitions, patience in adversity, resignation to taqdeer are your witnesses.

When man considers his *nafs* to be despicable, it is a sign of Allah loving and honouring him. When he regards his *nafs* to be honourable and his defects remain hidden from his gaze, it is the sign of Allah's detestation for him.

The sign of a man's proximity and love for Allah Ta'ala is that he shuns all things which impede the love of Allah Ta'ala.

An ignorant man not enquiring of the Path of Allah is indeed contemptible. He knows not the Path of Allah and yet he refrains from seeking it.

REVIVE SUNNAH

It is a *ni'mat* of the greatest value that a sincere man is perpetually engaged in reviving some Sunnat of Nabi-e-Kareem (sallallahu alayhi wasallam) and eliminating a *bid'at* from the evil and reprehensible acts of *bid'ah*. Sunnat and *bid'at* are two diametric opposites. The existence of the one brings about the destruction of the other. Thus, reviving Sunnat causes the elimination of *bid'at* and vice versa. Therefore, *bid'ah*, be it *hasanah* or *sayyiah*, necessitates the displacement of Sunnah.

(Maktoob 255, Daftar II)

All Sunnats are pleasing and beloved to Allah and its opposite, viz. *Bid'ah*, is pleasing to shaitaan.

(Imaam Rabbaani)

"BIDATE HASANA"

Imaam Rabbaani (rahmatullah alayh) said:

"In the past, Islam was powerful and it could carry the darkness of *bid'ah*. It is, therefore, quite possible that engulfed by the *Noor* of Islam (i.e. past Islam), the darkness of some innovated practices was lit up and appeared to dazzle (with reflected glitter), hence such practices were described as *hasanah* despite the fact that such practices are devoid of *husun* and *noor*. But in the prevalent times, Islam is weak and does not possess the strength to bear the darkness of *bid'ah*."

(Maktoob 23, Daftar II)

BID'AH

Hadhrat Mujaddid Alf-e-Thaani (rahmatullah alayh) said:

"The fortunate and highly successful one is the man who in this forlorn stage of Islam revives a Sunnat from among the shunned Sunnats and wards off a *bid'at* from among the *bid'ah* in vogue..... The signs of Qiyaamat have cast their dazzle. The Sunnah because of its distance (in time) from the age of Nabi (sallallahu alayhi wasallam) has become hidden. As a result of falsehood, *bid'ah* has manifested itself. The time therefore, calls for such a valiant warrior who will aid the Sunnah and vanquish *bid'ah*."

(Maktoob 23, Daftar II)

The constituents of *bid'ah* are destructive to the Deen. Honouring a *bid'ati* (one who commits *bid'ah*) is a factor contributing to the destruction of Islam. People of the past perhaps saw some beauty in *bid'ah*, but this Faqeer (Imaam Rabbaani referring to himself) is not in agreement with them on such issues. I do not consider any part of *bid'ah* to be *hasan* (beautiful). On the contrary, I discern nothing but darkness and evil in *bid'ah*. Rasulullah (sallallahu alayhi wasallam) said that every *bid'ah* is *dhalaal* (deviation which leads one away from the Deen). One's safety is thus dependant on following the Sunnah, and one's destruction is coupled with *bid'ah*."

(Maktoob 23, Daftar II)

ULAMA

According to Mujaddid Alf-e-Thaani (rahmatullah alayh):

"The negligence and indifference regarding Deeni matters of this age are because of the *ulama-e-soo'*. Their niyyats have become corrupted. Yes, of course, those *Ulama* who are not attached to the world and its pomp and have no desire for rank and wealth, they are the *Ulama* of the Aakhirat (Hereafter) and they are the Heirs of the Ambiyaa (alayhimus salaam). They are the noblest of creation. Tomorrow on the Day of Qiyaamat, the ink which these *Ulama* (of the Aakhirat) expended in the Path of Allah will be weighed (in comparison) with the blood of the shuhada (martyrs) and the ink will be heavier."

(Maktoob 33, Daftar II)

THE SHAR'EE COMMITTEE

JAMIATUL ULAMA (NATAL) SHAR'EE COMMITTEE IS A SPECIAL COMMITTEE ESTABLISHED TO DEAL WITH MARITAL PROBLEMS - CASES OF DESERTION, HUSBAND'S REFUSAL TO MAINTAIN HIS FAMILY, RECONCILIATION, ETC. - FALL WITHIN THE AMBIT OF THIS SHAR'EE COMMITTEE.

THE SHAR'EE COMMITTEE HAS REGULAR SITTINGS AT WHICH THESE PROBLEMS ARE DISCUSSED AND SOLVED. ANYONE WITH A MARITAL PROBLEM SHOULD GET IN TOUCH WITH:

**THE SHAR'EE COMMITTEE,
JAMIATUL ULAMA (NATAL),
225 SAYANI CENTRE,
GREY STREET,
DURBAN.**

Do not expand much your wordly affairs. Do not meet with people unnecessarily. When necessity compels you to meet others, meet them kindly and display good manners. As soon as the purpose of the meeting has been served, withdraw from the company. Remain aloof, especially from acquaintances. Search for the companionship of the people of Allah

(Hadhrat Mawhiddin)

SHARES

Continued from page 5

and render it a valid *shirkat* contract in terms of the Shariah.

DEATH OF COMPANY SHAREHOLDERS

According to the Shariah, death of a shareholder brings about the dissolution of the *shirkat* (partnership) in relation to his shareholding. But, in the *company set-up* no such dissolution occurs. The actual position in terms of the law of the land is that the *shareholder* has no ownership rights in the assets of the *company*, hence his death is of no effect to the *company*. This fact also demonstrates that in actual fact the *shareholder* is not a true shareholder (*shareek*) in terms of the Shariat since he has no ownership in the *company's* assets.

If the holder of *shares* in a *company* was a proportionate owner of the *company's* assets then upon his death his share of the *company's* assets will devolve to his estate. But, in actual fact this is not so. The only consolation which the heirs of the deceased *shareholder* have is the *share certificate*. Such certificates do not entitle the heirs to proportionate ownership of the assets of the *company*. They, therefore, have absolutely no claim in the *company's* assets. The only thing which transference of the certificates into their names will yield is a proportionate share in future profits and some other rights. The heirs could, of course, sell the share certificates, but in selling the certificates they will not be selling any proportionate share of the *company's* assets. They will merely be selling their *complex of rights* which they inherited in terms of non-Muslim law.

This arrangement in the *company set-up* is further proof for the claim that a buyer of *shares* in a *company* does not become a proportionate owner of the *company's* assets. In a Shar'i *Shirkat* the arrangement to deprive the heirs of their rightful claim and right in the assets of the partnership will be *haram*.

If it be argued that the heirs by retaining the share certificates of the deceased *shareholder* are thereby retaining their respective *shares* in the *company's* assets, we shall refute the claim in the following way:

(a) This *ta'weel* is *baatil*, having no validity whatever because it conflicts with reality. Truth rejects this interpretation which conflicts with the clear unambiguous conditions of the *baatil* contract. Neither the law nor those in charge of the *company* will ever accept this assertion. A *ta'weel* of ownership of assets will not be valid when in actual fact there never existed any such proportionate ownership in the assets of the *company*. This *ta'weel* must be dismissed as baseless as the categoric (*sareeh*) terms of the sale of shares in a *company* declare that a *complex of rights and duties* are being sold and not assets (*maal*) of the *company*. Among such rights, the most important being the right to claim a percentage of future profits, if and when the real, legal person (*baatil according to the Shariah*) person deems it appropriate to declare that a profit has been made and will now be distributed.

(b) The heirs will have to be contented with only future profits which the share certificates will entitle them to. If the *company* does not yield any profit, the heirs get nothing, notwithstanding the fact that perhaps at the time of the death of the original shareholder (their *murith*) his so-called proportionate share of the assets of the *company* amounted to even millions. Again, even if the *company* yields a profit but decides to retain it for investment or further expansion and development of the *company* then too the heirs (and all holders of share certificates for that matter) will be deprived of the profits.

(c) All the arguments outlined earlier in negation of the claim that holders of share certificates are the owners of the *company's* assets will be applicable in this case (of inheritance of share certificates) as well. Hence, there is absolutely no substance in the interpretation that the heirs by retaining the share certificates will be retaining ownership rights in the assets of the *company*.

BUYING AND SELLING OF SHARES

In this regard the following important facts should be noted:

(a) The article which is being sold (*mabee'*) is stated as "a complex of rights" (*huqooq*). According to the Shariah, rights are not valid articles of sale. A sale in which *huqooq* are sold or purchased is *baatil*.

(b) The interpretation that in buying share certificates one is purchasing a proportionate share in the assets of the *company* is untenable and without basis since the party (the *company*) selling the *shares* does not accept that it is selling a share of its assets. On the contrary the object of the sale is specified as a *complex of rights*.

(c) A *company's* assets generally consist of various forms of wealth, e.g. cash, fixed property, merchandise, machinery, loans, investment in other ventures, etc. Assuming that the above-mentioned *ta'weel* is accepted, the sale will envisage the selling of a portion of the *company's* assets. A buyer purchasing 10% shares in a *company* having for example 100 million rands worth of assets will on the basis of the *ta'weel* become a 10% owner in all the assets of the *company*. If he pays 10 million rands for 10% shares in the *company* it follows (on the basis of the *ta'weel*) that he will become a 10% owner in all the assets (property, cash, equipment, etc.). Now in order to legalize the sale in terms of the Shariah another *ta'weel* will have to be tendered. It will have to be said that 10% of the cash of the *company* will be in lieu of a similar amount of the purchase price. (If, for example the *company's* cash is 10 million rands, 10% will be 1 million rands. Therefore, 1 million of the purchase price of the shares will be in lieu of 1 million rands of the *company's* cash and the balance

of 9 million rands will be in lieu of the other assets). This *ta'weel* will be necessary since a sale in which cash is involved is in the *Bay' Sarf* category in which mutual possession by the parties in the sale venue is conditional (*taqaabudh fil majlis*). But this is never the case in purchasing *shares* in a *company*. In fact it can never be the case as no sale of assets (*maal*) ever occurs. The sale thus remains *baatil* and *haram*.

A BASELESS CLAIM

It has also been claimed that *share certificates* are proof of the *company's* assets and therefore, when purchasing *shares* one is purchasing assets of the *company*. The claim further asserts that although the assets are not seen, nevertheless, it is permissible to purchase an item (*the mabee'*) on reliance (*i'timaad*). We cannot accept this *ta'weel* because its fallacy is evident. The respected Aalim Saheb who has advanced this opinion has not been furnished with all the facts pertaining to this issue. The system of *companies* and buying and selling *shares* are complex. It is, therefore, essential that all the facts in detailed explanation be put before a Mufti before he will be in position to issue an accurate *fatwa*.

There is absolutely no grounds for the *ta'weel* that share certificates are proof of the assets of a *company*. A title deed is proof of a tangible asset, viz. the property purchased, because that is precisely what a title deed is about. A title deed being proof of tangible assets is not arrived at by means of *ta'weel*. It is the real and precise position. But, share certificates are not proof of assets purchased by one or sold by the *company*. What is the basis for this interpretation? When the article of sale is declared as a *complex of rights* then what basis is there for such a far-fetched *ta'weel*? If such an interpretation could be accepted without valid Shar'i basis, it could also be argued that an excess on a loan mutually and happily arranged or tendered unilaterally by the borrower without pressure exercised by the money-lender will not be *riba*, but will be *hibah* (a gift). If Zaid says: "Give me a loan of 1000 rands. I will give you a gift of R100.", there is no doubt in this being *riba* and not *hibah*. No *ta'weel* will be able to transform this *riba* into *hibah*. Similarly, it is not correct to legalize a venture or a sale on the basis of a baseless *ta'weel*. In buying and selling *shares*, the object of the sale is specified as a *complex of rights* (*huqooq*). The thought of selling or buying real or tangible assets is furthest from the minds of the transactors. When the unambiguous reality is that *rights* are being sold, not assets (*maal*), there remains no scope for *ta'weel*.

To claim that share certificates are proof of the *company's* assets which have been sold and to ignore the reality of the sale of *rights* as well as the existence of a variety of *baatil* and unlawful terms and conditions involved in such transactions is indeed a disservice to the Shariat. Among the *baatil* factors involved in buying and selling *shares* are:

(a) The non-existence of a Shar'i sale transaction since there is no valid article of sale, the article being pure rights (*al-huqooqul mujarradah*) and not tangible property.

(b) All *companies* selling *shares* on the stock-exchange are non-Muslim *companies* indulging in all forms of *haram*, *faasid* and *baatil* transactions.

(c) Certain *shares* are in the form of loans on which fixed annual interest is paid to purchasers thereof. In this case repayment of the capital by a fixed date is guaranteed. In buying such *shares*, the claim of buying assets of the *company* is further refuted and the *riba* is quite evident.

(d) Certain *shares* entitle shareholders to prior claims and in such cases too, fixed annual interest is paid.

(e) The owner of share certificates is not liable for the debts of the *company*. In the event a *company* goes insolvent, the creditors must suffer the loss irrespective of the shareholders being even millionaires.

(f) A shareholder cannot return the share certificates and cancel his shareholding. He cannot null his share by withdrawing from the *company* his supposed proportion of the *company's* assets nor can he demand that the *company* pay him out. He can only transfer or sell his rights to another party.

(f) In short, all the requirements of a valid Shar'i *Shirkat* contract are non-existent in the buying and selling of *shares*.

Most people who say that buying and selling of *shares* in a *company* are permissible, interpret the *company set-up* to be a *shirkat* enterprise. However, the interpretation is absolutely baseless since the reality and the true facts are not taken into consideration. The true facts are either concealed by those who pose the questions to the Mufti Saheb or they are not properly understood by those who desire to deal in *shares*. It is not studied whether the *shuroot* and the *arkaan* of *shirkat* are existing in the *company* establishment nor are the many Shar'i violations and *baatil* conditions given the slightest attention. Hitherto, our honourable Mufti Sahebs have declared trading in *shares* permissible on the basis of the questions and explanations furnished. The basis has been only the term, *share* which has thus far been explained as a *share in the assets of the company*, but this is not the position. The questioner must provide a Mufti with a detailed explanation of the actual and factual set-up, if he desires a true and correct *fatwa*.

THE QUESTION OF ZAKAAT ON SHARES

It is claimed that:

- (1) Zakaat is payable on *shares*.
- (2) Zakaat is payable on the market value of *shares*.

Zakaat according to the Shariah is not payable on *shares* for the following reasons:

(a) *Shares* do not constitute any category of Zakaat-taxable wealth. *Shares* are not cash, livestock, stock-in-trade, gold or silver.

(b) *Shares* are mere documentary evidence of one's right to demand profits from the *company* (which arrangement as explained is *baat-il*).

(c) Rights (*huqooq*) are not taxable by Zakaat. Even certain forms of real tangible wealth, e.g. precious stones, fixed property, household goods, etc. are exempted from Zakaat. Such exemption will apply to a greater degree to *huqooq* which are not tangible assets.

(d) The money paid for *shares* is not retained on one's behalf as savings nor is it transformed into other tangible Zakaat assets on one's (the purchaser's) behalf. Payment for *shares* cancels one's ownership of the money which was paid as the purchase price for *shares*.

(e) As already explained, purchasing of *shares* does not entitle one to proportionate share of the *company's* assets. There is thus no tangible Zakaat-taxable assets on which Zakaat could be paid.

Since *shares* are not Zakaat-taxable items, the question of *market value* does not feature for the purpose of Zakaat. *Shares* are *rights* (*huqooq*) for which there is no *market value* in the Shariah. *Shares* in a *company* have been likened to and in fact, regarded as tangible assets by way of baseless *ta'weel*, hence the mistaken notion of *market value*. The *market value* will be considered only if *shares* are tangible Zakaat wealth or evidence of Zakaat-taxable wealth being retained on one's behalf. But, since this is not the case, the claim that Zakaat is payable on the *market value* of *shares* must be dismissed as erroneous and baseless.

THE QUESTION OF ZAKAAT ON EVEN REAL SHAR'I SHARES IN A VALID SHAR'I PARTNERSHIP

In the negation of the claim that Zakaat is payable on the *market value* of *shares*, we propose to discuss the question on the basis of even valid Shar'i *shares* in a *shirkat* (partnership) enterprise. Insha'Allah, even if on the remote assumption that dealing in *shares* of *companies* is permissible, then too Zakaat will not be payable on *shares* or the *market value* of *shares*. If by some *ta'weel* or other the present *company set-up* is pronounced as a legal *shirkat* contract, it will follow that the buyers of *shares* will be the partners (*shurakaa*) in the enterprise, i.e. the shareholders will be the owners of the assets of the *company* in proportion to their shareholding.

Let us now see what are the Zakaat-taxable items in a business enterprise. The only forms of wealth which will be subject to Zakaat in the business will be the stock-in-trade, cash and loans given when their return payment is made. The plant, equipment, furniture, vehicles, etc. utilized for the purposes of the business will be exempted from Zakaat. Hence, if Zaid and Amr are the two partners in the *company*, each one will pay Zakaat on the value of his Zakaat taxable assets in the business and not on the total assets of the *company*.

If Zaid is a 60% shareholder and Amr the 40% shareholder, it follows that Zaid will pay Zakaat on 60% of the Zakaat taxable assets of the *company* and Amr on 40%. They will not pay Zakaat on the non-Zakaat assets of the *company* (which for our argument is being considered as a valid *shirkat* enterprise).

If Zaid offers for sale his share of the business, it means that he is selling 60% of all his assets in the *company*. The new purchaser will become the owner of 60% of all the assets of the business. Let us assume that the actual *market value* of Zaid's assets in the *company* is R60000, but due to several favourable factors he is able to sell his share for R100000. Several buyers are willing to purchase Zaid's share for R100000. We say, therefore, that the *market value* of Zaid's share in the *company* is RR100000 although the *market value* of his actual tangible assets in the *company* is only R60000. However, Zaid decides not to sell his share. The question now is: On what amount does Zaid pay Zakaat? On R100000 which is the *market value* of his share; on R60000 which is the actual and true value of his real and tangible assets in the *company* or on the amount of his Zakaat taxable assets in the *company*? He neither pays Zakaat on the R100000 *market value* of his share nor on the *market value* of all his assets in the *company*. He is liable to pay Zakaat on only the value of the Zakaat taxable assets which he owns in the *company*. It will be clear that Zakaat is not paid on the *market value* of one's share or business, but on the tangible Zakaat taxable wealth one owns.

It should now be clear that *market value* of *shares* is not the *market value* of one's Zakaat taxable assets in the *company*. In view of the aforementioned explanation the most one can say if buying and selling of share certificates in the *company set-up* are permissible (but which in actual fact is not permissible), is that Zakaat is payable on the actual Zakaat assets of the partnership business.

CONCLUSION

Our study of this question has established:

- (1) The *company set-up* is not a lawful *shirkat* operation according to the Shariah.
- (2) Buying and selling of *shares* are not permissible, such sales being *baatil*.
- (3) Zakaat is not payable on share certificates nor on the *market value* of such *shares* since these do not constitute Zakaat taxable wealth nor are such certificates evidence of one's proportionate ownership in the assets of the *company*.

From Page 11

'SHARES'

(4) Holders of share certificates are not liable to pay Zakaat on the assets of the company since such assets do not belong to them in actual fact.

(5) It is not permissible for Muslims to participate in such *baatil* transactions of *riba*, which are fully in the control and under the direction of the kuffaar.

**QUESTIONS
ANSWERS**

Continued from page 3

Q. What is the ruling on membership fees which Muslim organizations stipulate for members?

A. Membership fees which are generally stipulated in the constitutions of westernized Muslim societies are not permissible because such fees fall within the category of *riba*. It is, therefore, unlawful to pay such fees and it is unlawful to accept such fees. Such monies cannot be used for a Masjid and have to be returned to the rightful owners.

Q. Is the Ameer system of the Tabligh Jamaat the Islamic system of appointing a leader?

A. Yes, it is an Islamic system. Islam envisages the appointment of a leader—a single leader and not a group of individuals—to be the leader. Authority in Islam is vested in a single leader who will act in accordance with the Law of Allah Ta'ala, and not in terms of majority vote, the system of the kuffaar. The Ameer—the single leader—will not be fettered by conditions and stipulations invented by the community or any group of individuals. The Ameer will not be bound to act in accordance with the advice of his deputies or counsellors or any consultative assembly or parliament (the system of ignoramuses). If the Ameer has a group or an association of responsible and capable men to advise him, he shall take advice from them, but not as a matter of compulsion. However, should his single opinion conflict with the opinion and advice of his advisory or consultative assembly and he feels reasonably certain or convinced of his own opinion, then he has the full right to reject what the entire nation opines and to proceed in accordance with his opinion which of course, he will base on the Shariah. After all, he is the Ameer appointed to lead the community, and in that capacity he will be the Khalifah of Allah. His word is thus final. This is the ruling of the Shariah.

Q. The Imaam of the Mosque permits the taking of photos of people inside the Mosque. Are we allowed to follow this Imaam in Salaat?

A. It is a kabeerah (major) sin to take pictures or photos of people or animals. The sin of this crime is indeed grave. One who perpetrates such haraam is a *faasiq* and is not fit to be the Imaam of a Masjid. Allowing the taking of photos inside the Masjid is a kabeerah sin of an aggravated nature. The sin is graver and similarly is the *fisq* of the Imaam. It is forbidden to appoint such a person to be the Imaam. However, if such a man has been appointed as the Imaam and he leads the Salaat then do not separate yourself from the jamaat. The Salaat behind even a *faasiq* is valid. Among the signs of the Ahle Sunnah Wal Jama' is that they perform their Salaat in Jamaa't even if the Imaam happens to be a *faasiq*. They do not break the jamaa't. They do not divorce themselves from the Masjid on account of the *fisq* of the Imaam.

Q. A man had insured himself. He had taken out a life-insurance policy. After he died, the insurance company paid his inheritors R20000. Is this money halaal or haraam for the heirs?

A. All forms of insurance are haraam. The gain obtained by virtue of such a contract is *riba*. It is haraam and the inheritors of the mayyit cannot take the gain derived from the life-insurance policy. They are allowed to take only that sum which their father had paid to the insurance company in the form of premiums or instalments, nothing more. As an example, if their father had paid in R5000 in the form of premiums, etc., they will be permitted to take only R5000. The balance of R15000 will have to be given compulsorily in charity without making a niyyat of *thawaab*. However, such money cannot be utilized for the affairs of a Masjid.

INFANTICIDE – the murder of infants

President Ronald Reagan has become embroiled in a new abortion controversy after the grisly discovery of as many as 17000 foetuses in a medical cargo container in Los Angeles.....The foetuses were discovered in February at the home of a former medical laboratory operator and have since been stored as possible evidence.

RASULULLAH

(sallallahu alayhi wasallam)

SAID:**JANNAT LIES UNDER THE SHADOW OF SWORDS.**

(Hadith)

SHARIAT**and
“SHARES”**

Now that the company set-up has been explained, the following are the rulings of the Shariah:

- (1) Buying and selling of shares are *baatil* and haraam.
- (2) Zakaat is not payable on shares or on the market value of shares nor is Zakaat payable by the shareholders on any portion of the company's assets since such assets do not belong to shareholders.
- (3) Once such shares have been purchased, the buyer will lose his money since it will not be Islamically lawful for him to resell the shares, for such sale is *baatil*. What has been lost in a haraam way cannot be recouped by entering into another haraam and *baatil* transaction.
- (4) The dividends which accrue to the shareholders are *riba* and consequently is not their property. Such haraam money will fall in the *Wajibut Tasadduq* category in the same class as bank interest. It is *Wajib* to give such money (bank interest and dividends obtained on the strength of share certificates) to the poor in *Sadqah* without making a niyyat of *thawaab*.

MAHR-E-FATIMI

To calculate the value of Mahr-e-Fatimi multiply 49, 21 by the price of silver per troy ounce.

The value of Mahr-e-Fatimi during the month of Shawwaal, 1402 (August, 1982) was approximately R400.

Editorial**A MESSAGE FOR
THE
P.L.O.**

“Those who take the kuffaar as their friends besides the Mu'mineen: What! Do they search for IZZAT from them? Verily, all izzat belongs to only Allah.”
(Qur'aan)

“O People of Imaan! Do not befriend the Yahood and the Nasaaraa. They are friends to one another (not the friends of Muslims). He among you who takes them for friends, verily he is among them (kuffaar). Verily, Allah does not guide a community of transgressors.”
(Qur'aan)

*THE VICTORY OF MUSLIMS
is not in the VATICAN
NOR in the U.N.O. nor in
the U.S.A. THE VICTORY OF
MUSLIMS IS NOT IN
COWARDLY FLIGHT termed
'evacuation'. The victory of
MUSLIMS is in ISLAM – the
SUNNAH of RASULULLAH
(sallallahu alayhi wasallam)*

We cordially inform readers, especially those who have sent in adverts requesting publication, that “The Majlis” does not carry advertisements. We regret the inconvenience caused to those readers who have sent to us their adverts.

Current Nisaab

ZIL — HAJJ, 1402

OCT. 82

of Zakaat**R210 (approx.)**

(Mujlisul Ulama Zakaat Organization of S.A.)
P.O. Box 3393, Port Elizabeth.

**Your
Zakāt –
our Condition of
Acceptance**

The prime purpose of the Mujlisul Ulama Zakaat Organization is to guide Muslims in their Zakaat affairs. Our aim is not to be a money-collecting organization. However, where Muslims find that they are not able to distribute their Zakaat funds in accordance with the Shariah, they may then divert their Zakaat payments to us. To assist us in this task and to lighten the responsibility for us we stipulate the following condition for the acceptance of Zakaat funds diverted to us for distribution:

WHEN FORWARDING ZAKAAT TO US, DO MAKE THE NIYYAT (INTENTION) OF MAKING THE MUJLISUL ULAMA ZAKAAT ORGANIZATION YOUR FREE AND UNFETTERED WAKEEL (REPRESENTATIVE) IN THE DISTRIBUTION OF YOUR ZAKAAT.

This niyyat by you will enable us to distribute your Zakaat in accordance with the Shariah in a manner that will make it easy upon us to effect the distribution. Do remember that the effect of making this niyyat (as outlined above) will permit us full and unfettered control and freedom to distribute within the Shari' Zakaat categories in a manner, time and amount as we deem fit.

PLEASE NOTE THAT WE SHALL ACCEPT YOUR ZAKAAT FOR DISTRIBUTION ONLY ON THIS CONDITION. If you cannot agree to this condition, please do not forward your Zakaat to us for distribution. You may in that case divert your Zakaat elsewhere for distribution.

**THE ZAKAAT
ORGANIZATION
OF ISLAM**

THE Mujlisul Ulama Zakaat organization of South Africa has been established for the pure purpose of administering your Zakaat affairs in accordance with the Shariah.

A host of Islamic rules and regulations are related to levying, collecting and distributing of Zakaat. The obligation of Zakaat will not be discharged if these functions are not executed in terms of the Quraan and the Ahaadith.

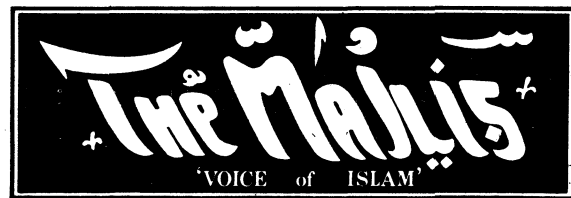
**THE QUR'AAN AND
YOU**

THE QUR'AN AND YOU, A 230 PAGE BOOK BY HADHRAT MAULANA MANZOOR NO'MAANI OF LUCKNOW INDIA, PROVIDES A COMPLETE INTRODUCTION TO THE STUDY OF THE FUNDAMENTAL BELIEFS AND TEACHINGS OF ISLAM.

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REP. OF SOUTH AFRICA

TALAAQ

It is of utmost importance that people understand the delicate nature of *talaaq* (divorce) and that they acquaint themselves with certain *masaa-il* pertaining to *talaaq*. Many people due to ignorance are living in sin, their *nikah* having been terminated by *talaaqs* which they had blurted out in fits of rage. *Talaaq*, whether uttered in anger or joke, hatred or love, takes effect and can never be totally effaced. In certain cases the effect of *talaaq* is immediate while in other cases the effect is delayed or suspended and comes into operation when circumstances apply. However, once a *talaaq* has been issued, it can never be obliterated.

It is vital that it be understood that *talaaq* is a razor-sharp weapon--a loaded fire-arm which cannot be tampered with. The weakling who succumbs to his anger and in an emotional fit blurts out *talaaq*, must remember that the damage is done. He cannot undo the harm. Once a *talaaq* has been given, it remains. In this article we shall, Insha'Allah, in very simple terms explain so much of the *talaaq* question, the knowledge of which is essential for everyone. Without this knowledge of *talaaq*, people are liable to lead lives of sin, living in adulterous states. Therefore, study this article well and repeatedly at different times so that you may remember the *masaa-il* and thereby maintain the purity of your life. Now understand firstly that there are two classes of *talaaq*, viz.,

TALAAQ SAREEH AND TAL AAQ KINAAYAH

TALAAQ SAREEH

Talaaq Sareeh is a clear-cut, straight-forward divorce uttered. In this class of divorce, the word *talaaq* or any other word derived therefrom, e.g. *taaliq*, *mutallaqah*, *tatleeq*, is uttered. If the Arabic term *talaaq* is not used, but its equivalent in any other language is used, e.g. divorce, divorcee, divorced, then too the divorce will be in this category of *Talaaq Sareeh*. Example: The husband says to his wife: *Talaaq* or 'You are a *mutallaqah*.' or 'I have given you *talaaq*.' All such statements will be *Talaaq Sareeh*.

The effect or result or consequence of *Talaaq Sareeh* is called *Raj'i* which means that the *talaaq* can be revoked. If a *Sareeh Talaaq* is given, the husband can recall his wife. The conditions for calling her back are:

(1) He must recall her within her *iddat* which is a time period of three *haidh* according to the Hanafi Math-hab, and according to the Shaafi Math-hab a period of three *tuhrs* (i.e. periods of purity. *Tuhr* is the period of purity between two *haidhs*). He cannot recall her after her *iddat* has expired. If her *iddat* expires and he did not as yet recall her, then the effect of the *Sareeh Talaaq* no longer remains *Raj'i* (revocable), but is changed into another effect or result known as *Baa-in*. Once a *talaaq* becomes *Baa-in*, the woman is no longer his wife, but becomes a stranger. She is now free to marry anyone she wishes. If her previous husband wishes to take her back and she agrees, then a new *nikah* will have to be performed. He cannot live with her without *nikah* since she no longer remains his wife because the *talaaq* is now *Baa-in*.

(2) The number of *talaaqs* must not be more than two. Even if two *Sareeh Talaaqs* were given, the same rule as explained in condition No.1 above, will apply. He can recall her, without renewing *nikah*, but within her *iddat*. Once her *iddat* ends and he did not yet recall her then both these *Raj'i talaaqs* become *Baa-in* which sets the woman free because the *nikah* is broken.

IMPORTANT:

* The validity of *talaaq* is not dependent on the presence of witnesses. *Talaaq* does not require witnesses like *nikah*. A *talaaq* uttered verbally even in solitude even in the absence of the wife, is valid and comes into force.

* If three *Sareeh Talaaq* are given, the effect will no longer be *Raj'i* nor will it be *Baa-in*. Three *talaaqs* will be *Mughallazah* which is explained further on in this article.

* *Talaaq Sareeh* to be valid does not depend on *niyyat* or intention. Even *talaaq* uttered in a joke comes into effect, the intention being of no significance in this class of *talaaq*. So beware!

TALAAQ KINAAYAH

Talaaq Kinaayah is such a divorce in which the word or statement uttered is ambiguous, i.e. it can be interpreted in several ways. It contains the meaning of divorce as well as other things. Example: A man says to his wife in anger: 'Get out of my house!' or 'Go live with your mother.' or 'I have no relationship with you.', etc., etc..

These types of statements are dependent on the *niyyat* or intention of the husband. If the husband says that in making these statements, his intention was divorce, then it will be *talaaq*. If he says that his *niyyat* was not divorce, then it will not be divorce. Where he meant divorce, the effect of the *talaaq* will be *Baa-in*. The effect, result or consequence of *Talaaq Kinaayah* is *Baa-in*.

The meaning and effect of *Baa-in* is the complete severance of the *nikah* bond. The *nikah* breaks. The husband in this case cannot recall the woman without renewing the *nikah*. If he wishes to recall her and she too agrees to go back to him, *nikah* will have to be performed. If she agrees to remarry him, the *nikah* between them can be performed even in her *iddat*. However, if she decides to marry another man, she will have to wait until after her *iddat*.

IMPORTANT:

* In *Talaaq Kinaayah* too, he can remarry her only if the number of *talaaqs* is not more than two. If he had given her three *talaaqs*, no matter of which kind, be it *Sareeh* or *Kinaayah*, the effect will be *Mughallazah* which is explained hereunder.

MUGHALLAZAH

Mughallazah is the effect, result or consequence of THREE *talaaqs*, irrespective of the class and kind of *talaaqs* given and no matter in which way and at what time the three *talaaqs* were given, whether three were given in one sitting in a single statement or whether three *talaaqs* were scattered over a period of a number of years and no matter whether the three *talaaqs* were given in the state of *haidh* or pregnancy. It is entirely another matter that issuing *talaaqs* in contravention of the Shariah is sinful. Nevertheless, the three *talaaqs* become *Mughallazah*.

The consequence of *Mughallazah Talaaq* is the total immediate and permanent breaking of the *nikah*. The man cannot remarry her, except in one case, viz., if she marries another man and he, after having consummated the marriage, i.e. after having had sexual relations with her, divorces her. Only in this case can she remarry her previous husband.

IMPORTANT:

A *talaaq*, no matter of which class or kind always remains suspended. It is never cancelled out. If a man had given one *talaaq* ten years ago, for example, and today gives one *talaaq*, then two *talaaqs* will be suspended. Now, if at any time in the future he again issues one *talaaq*, the three *talaaqs* will come into operation. These three will now be *Mughallazah*.

ISLAMIC WILL

The Mujlisul Ulama of South Africa has prepared an Islamic Will which satisfies the Shariah as well as the Law of the country. Since we are living in a non-Islamic state, it is compulsory in terms of the Shariah, for Muslims to draw up their Wills to ensure that their estates after their death be distributed in accordance with the Laws of Islam. Any Muslim desiring such an Islamic Will, may obtain a copy from:

Mujlisul Ulama of S.A.,
P.O.Box 3393,
Port Elizabeth. 6056

Registering YOUR NIKAH

Most Muslims are not aware of the implications and consequences of having their marriages registered improperly. By improperly we mean, in terms of the Shariah, and improper registration of marriage in so far as the Shariah is concerned is termed *marriage in community of property*.

MARRIAGE IN COMMUNITY OF PROPERTY

The effect and consequences of registering marriages in community of property are as follows:

(1) According to the law of the land, the estates of both partners merge into one. Both partners are equal owners in the joint estate, all property belonging to any one of them having become the common property of both. According to the Shariah, this is *baatil*. Marriage neither cancels any partner's ownership in any property he/she may be owning nor grants any spouse ownership over any part of the other's property, whatsoever. In spite of the injustice of this law of community of property, the actual position is that it will be enforced if a marriage has been registered in this way.

(2) Each one of the marriage partners owns half of the joint estate. This applies to all property whether acquired before or after the marriage.

(3) The joint estate is liable for all debts of the spouses whether such debts were incurred before or after marriage.

(4) The husband is the administrator of the joint estate. The wife is in the position of a minor and has no right of contracting any business or entering into any transaction without the consent of the husband.

The position set out above is un-Islamic and not valid in the Shariah. In terms of the Shariah, this type of marriage-registration will have the following harmful effect:

(1) A Will made out according to the Shariah will not be valid in terms of the law of the land, hence the estate of the deceased will be distributed in violation of the Shariah.

(2) The estate of the deceased spouse will, in terms of the law of the country, be divided among the children and the surviving spouse according to *kuffaar* law, the surviving spouse obtaining half of the estate and the children the other half. In addition to this distribution being *haraam* and not valid, all other *Shar'i* heirs will be deprived of their rightful inheritance.

HOW TO OVERCOME THESE DIFFICULTIES

The above-mentioned *baatil* and harmful consequences can be overcome by the marriage partners entering into a contract known as *Ante Nuptial Contract*. This contract has to be arranged before registration of the marriage and should be done through the agency of some attorney to ensure that the necessary formalities of *kuffar* law are complied with so as to render the contract valid. By means of an *Ante Nuptial Contract* the partners in the marriage retain their ownership in their respective properties. This contract will allow one to make out an Islamic Will ensuring that one's estate is distributed in accordance with the Law of Allah Ta'ala and not the law of the *kuffaar*. Under the circumstances and in view of the law of the land which conflicts with the Shariah, it is imperative--Waajib--for those who for some reason wish to register their marriages, to enter into an *Ante Nuptial Contract* before they register their marriages.

The eminent Sahaabi, Hadhrat Ibn Mas'ud (radiallahu anhu) says:

"People will progress and prosper as long as the knowledge of the great Ulama remain with them. When the learning of insignificant ones commences among them, they will be ruined."

Q. An organization is planning to build a Masjid and a Madressa. It intends to collect funds from the public for the building of the Masjid and for the Madressa it intends to raise a loan. However, interest will have to be paid on the loan. Our chairman argues that as long as the interest is not incurred for Masjid purposes, the loan is quite in order for the Madressa. In his opinion any kind of money can be used for the Madressa building. Is he correct in his reasoning? Is it permissible to build a Madressa with money raised with interest? If it is at all permissible, then what is the difference between the Masjid and the Madressa? Are both buildings not serving same purpose, i.e. the Deen, although in different ways?

A. Your chairman is a *jaahil*. His ignorance is manifest. It is not permissible, in the first place, to have such an ignorant man in charge of trust affairs. This chairman of your organization fits the application of the following hadith of Rasulullah (sallallahu alayhi wasallam):

"When amanat (trust) is plundered then await the (Final Hour)." Someone asked: "O Messenger of Allah! How will amanat be plundered?" Rasulullah [sallallahu alayhi wasallam] answered: "When unqualified persons are appointed to positions of trust, then await the Hour."

It is not permissible to obtain a loan on interest irrespective of the purpose, be it for a Madressa, Masjid or personal use. The sin for committing haraam is aggravated in this case since haraam will be employed in a project which is supposed to be dedicated solely to Allah Ta'ala. Who has declared ribaa as one of the worst sins. Regarding ribaa, Rasulullah (sallallahu alayhi wasallam) said in one hadith:

"Ribaa is worse than a collection of seventy major sins, the lightest of [these seventy] being like the commission of fornication with one's own mother."

In another hadith it is said: committing fornication with one's own mother right inside the Ka'bah." If these grave warnings are not sufficient to knock some sense into your chairman and if these warnings are not sufficient to cause the members of your organization to put Mr. Chairman in his place, then May Allah help you.

Q. Our organization intends to organize ladies in a bid to raise funds for the Masjid. Among the ways in which the women will assist, is to form cake-selling committees. They will set up stalls in the open and sell cakes to the public. Another way is to organize bazaars in which women will play a leading role. What does the Shariat say regarding these methods of fund-raising?

A. Your organization is indeed on evil ways. Allah Ta'ala has prohibited the misuse of women in this evil way. The projects of the Deen do not stand in need of such haraam methods of fund-raising. Men who misuse women in this way by dragging them onto the streets in an exhibition of *jaahiliyyah* have been branded by Rasulullah (sallallahu alayhi wasallam) with the epithet, *dayyoos* which is an apt title for a shameless and immoral man. Only degenerate minds will resort to such methods which the Shariat forbids. It is not at all permissible for Muslim ladies to stand on the streets and sell cakes or anything else irrespective of the nobility of the purpose for which funds are required. Let your chairman and other like-thinking members of your organization take to the streets and sell cakes and organize foolish bazaars. If your organization lacks the ability to raise funds in a dignified manner and within the confines of the Shariat then let it desist from embarking on projects beyond its capabilities. Allah Ta'ala does not need such mosques and such madressas which are watered with haraam. Your organization seems to be bent on haraam--haraam ribaa money and fund-raising methods which in the Shariat are immoral and despicable. There will never be any *barkat* in institutions reared on haraam and in violation of Allah's Law. This should be well understood.

Q. Our M.Y.M chairman placed a notice on the Mosque board. The notice says that all those who wish to donate an animal for qurbaani, should write their names on the MYM notice paper. The Mym brothers will cut, clean and distribute the animal among poor non-Muslims. What does the Shariat say about this?

A. According to the Hanafi Math-hab it is permissible to give qurbaani meat to non-Muslims whether they are poor or not. But, this is not permissible according to the

Shaa'fi Math-hab. Therefore, it was not permissible for Shaafis to have entrusted the Mym with their Qurbaani. Although the Qurbaani of Hanafis who made use of the Mym service was permissible, nevertheless, it is not advisable to make one's qurbaani in the way you describe in your question. In entrusting the Mym with your Qurbaani several Shar'i factors are sacrificed. Among these are:

(1) The Sunnat method of distributing the meat is totally overlooked. It is Sunnat to divide the meat in three parts. One part for the poor, one for friends and relatives and one part for one's own use. Distribution of qurbaani meat to non-Muslims is not the normal and regular practice advised by the Shariat. It is rather an exception. This is especially so when certain Math-habs even forbid such distribution.

(2) Qurbaani is an act of Ibaadat in which, as far as is possible, one should get involved in. The one who offers Qurbaani should slaughter the animal himself if he is able to do so. If unable, he should at least stand in the presence of the animal when it is being slaughtered. In this form of dry, spiritless and abattoir-like slaughtering, the true and lofty purpose of Qurbaani is missed.

Q. Our Trust Board is not keen to build a Mosque or Jamaat Khanah in our area. Only about three people attend the town Mosque for Fajr. I am sure that if there is a Mosque or Jamaat Khanah in our residential area, many people will come for jamaat Namaaz because of the building being nearby. Is our Trust Board right in its attitude?

A. Rasulullah (sallallahu alayhi wasallam) said that even in a jungle if there happen to be two Muslims and they do not establish *Jamaat Salaat* between them, Allah Ta'ala will establish a shaitaan over them. The importance of Jamaat Salaat is overriding. Your Trust Board is wrong in its attitude. The community should proceed to erect a Masjid or Ibaadat Khaanah in the residential area.

Q. What does the Shariat say about Ghaaib Janaazah Salaat. Certain people had organized Ghaaib Janaazah Salaat for the Palestinians massacred in Beirut.

A. Janaazah Salaat in the absence of the bodies is not permissible according to the Hanafi Math-hab. Those persons and organizations who arranged this sort of Janaazah Salaat are publicity seekers. They are adept at using the Deen as a publicity stunt. They dwell in deception and baatil. They do not know whether they are coming or going, whether they are moving forwards or backwards. Their acts and attitude demonstrate their gross insincerity, ignorance and hollowness. If they had any true feeling for Muslims who are slaughtered elsewhere then there would have been uniformity in their acts. But, you did not find these publicity seekers who utilize the Deen as a stunt, making Ghaaib Janaazah Salaat for the numerous Muslims being massacred in Afghanistan, Syria, in the daily government-instigated riots in India, in Turkey, in Burma, in Cambodia and elsewhere. Why do they single out the Palestinians for performing their stunt-acts? Because, in the Palestinian issue is publicity, and publicity-seekers employ slogans and shouting to draw attention to them. A dua for the dead and the living...dua for the Aid of Allah does not require slogans and shouting. It does not require publicity. It does not require a lot of hallaballoo. It does not require a demonstration of fury and bravado. It does not require the confusion schemed by the modernist publicity-seekers. The most effective dua is that dua which rises from the innermost recess of the heart, in solitude, in silence, in humility, which brings the tears of sincerity and heartfelt sorrow gushing to the eyes. For such dua which pierces the heavens, a single and a humble *Mu'min* sitting in solitude away from the crowds and the riff-raff shouting hollow slogans, is sufficient.

Q. I have leased a premises the rental of which is R500 per month. I have sub-let the same premises for R600 per month. Am I entitled to the extra R100?

A. According to the Shariat you are entitled to sub-let the premises, but you cannot charge a higher rental than the amount which was the rental you had paid. The extra R100 is haraam. Neither you nor the owner is entitled to the additional R100. You have to return it to the one to whom you had sub-let. However, the existing lease can be mutually cancelled and then the owner may enter into a new agreement with the new tenant for a higher rental.

Q. From what date has Zakaat to be paid on money inherited from the estate of a deceased--from the date that the deceased died or when the money was actually received?

A. Zakaat will be paid after the money has been received. If the money was obtained a year, two years, etc., after the death of the deceased, Zakaat for the past years will also have to be paid.

Q. When calculating Zakaat on stock in trade, what price will be considered--cost price or selling price?

A. Neither cost price nor selling price. The current wholesale price of the goods will be the price at which the stock will be calculated for Zakaat purposes.

Q. Is it permissible for cousins (children of two brothers) to get married?

A. It is permissible.

Q. Is it permissible to perform Ishraq Salaat with the same wudhu of Fajr Salaat?

A. It is permissible.

Q. Recently a practice called Salaami has been introduced in some Mosques after Juma' Salaat. Is this a valid practice?

A. It is a baatil (baseless) practice in conflict with the Sunnah of Rasulullah (sallallahu alayhi wasallam). It is an innovation termed in the Shariat, *Bid'ah Sayyiah* [evil innovation] about which Nabi-e-Kareem (sallallahu alayhi wasallam) said: "Every *bid'ah* leads to hell."

Q. Is it permissible to take a minnat (vow) in the name of Ghaus Paak. For example, if a certain wish comes true, money or food will be given to the poor?

A. Vows taken in the names of any person or being other than Allah Ta'ala are haraam. Such vows taken in the names of created beings are acts of *shirk*. A vow is permissible in the name of Allah Ta'ala only. Such vows as are practised by the innovators are the acts of the idolaters.

Q. If a Muslim utters a statement of kufr, what is the effect of it and what should he then do?

A. Speaking or uttering kufr negates Imaan. The utterer of kufr negates his Imaan. His nikah breaks. He has to renew his Imaan by again declaring the Shahaadat of Islam, make taubah and renew his nikah.

Q. Can a beardless person be appointed as a trustee of a Mosque?

A. A person who shaves his beard is termed a *faasiq* in the Shariat. Such a person is a heinous sinner. Every second of his life passes in flagrant violation of the Law of Allah Ta'ala. One who shaves his beard is *mardoodush-shahaadat*, i.e. his testimony is unacceptable in an Islamic court of law. According to some Math-habs, his witnessing even a nikah is not valid. In short, the Shariat brands him as a flagrant and despicable violator of Allah's Law. It is haraam to appoint such a *faasiq* as a Masjid trustee. Those who appoint such *fussaaq* to positions of amanat are guilty of sinning.

Q. Is it permissible to use dolls with human form for displaying garments as is being done in display windows of shops?

A. Such dolls are not permissible. All pictures, statues and other forms of representations of animate objects are haraam. The sin of this crime is severe in Islam. Rasullah (sallallahu alayhi wasallam) likened the maker of human or animal images to the murderer of Ambiyaa and the murderer of parents.

Q. Is it permissible for Muslims to sell pet-foods which contain haraam meat? Also such haraam tinned foods as corned beef and vienna sausages?

A. It is not permissible for Muslims to sell any of these haraam products even if such products are meant for the consumption of dogs. What the Shariat has made haraam for our consumption, it is not lawful to give to anyone or even to an animal.

Q. Is it permissible to sell games such as chess, ludo, carom boards, etc.? Sometime ago I saw in The Majlis that chess and similar games are not permissible.

A. Such games being unlawful in Islam, their selling too is unlawful.

Q. I notice that some people when making Namaaz roll their trousers above the ankles, but roll it down again after finishing Namaaz. Is the prohibition to wear the trousers below the ankles only during Namaaz?

A. The prohibition is for all times and occasions, and not only for Salaat. It is not permissible for Muslim males to wear their trousers below their ankles whether in Salaat or out of Salaat.

Q. The Hindu principal of a certain school in Natal refuses to allow Muslim boys attending his school to keep beards. Some boys were suspended from classes because of their refusal to remove their beards. Now they are threatened with expulsion if they do not shave their beards. We are now in a dilemma. It is either shaving off the beards, which is, we know, not permissible or the ruin of future careers of these students if they are expelled. Does the Shariat not make concessions in such difficult cases? Can they shave off their beards under these circumstances?

A. In reality there is no dilemma and no difficulty. The idea of dilemma and difficulty in such anti-Islamic situations are the effects of weakness of Imaan. Due to our lax bond with Allah Ta'ala, the choice mentioned by you has assumed the form of a dilemma. A *Mu'min* who understands what life is about, the purpose of life, and the

QUESTIONS and ANSWERS

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incumbency of conflict between allegiances, haqq and baatil will know exactly what to do. To pay the price of expulsion from kuffaar school operating under an idolater is to pay a very cheap price for such a valuable and priceless treasure as a *hukm* (law) of the Deen. Weakness of Imaan and remoteness of our belief in the *Aakhirah* have made western mundane education seem so important to Muslims of today. Western education in the eyes of weak Imaan has become a status symbol and it is being thought that *rizq*--livelihood, sustenance and earnings--are dependent on kuffaar education. We utter with the tongue that Allah is the Raaziq, but our hearts and our external acts and attitudes indicate that we do not believe in this doctrine wholeheartedly. Counfound the secular kuffaar education. It is absolutely haraam for Muslims to shave their beards. Let them be expelled and let them feel elated at the prospect of being expelled from a place of kufr for the sake of their Deen. The Shariah offers no concession in a case of this nature, for there is absolutely no difficulty or hardship involved. If they shave their beards for the miserable gain of being quislings (in relation to Islam) to sit and learn in abodes of kufr and shamelessness, then they should realize that they have miserably failed in something which although had the external makings of a test of Imaan, but in reality was no test at all. May Allah Ta'ala grant us all *hidaayat* and *taufeeq* to keep our heads and hearts high for the sake of our Imaan, Aameen.

Q. I have been told that there is a person who was a Nabi by the name of Khizr and that he is still alive. Is this a fact?

A. It is indeed an Islaamic fact. Hadhrat Khidhr (alayhis salaam) is many thousands of years old. He is still alive executing a variety of duties imposed upon him by Allah Ta'ala. His identity is concealed and he travels around the world in miraculous ways. He meets some Auliya when necessary. The precise time of his future death is not known. Most probably he will link up with Imaam Mahdi (alayhis salaam) and Nabi Isaa (alayhis salaam), and Allah knows best. Some Islamic authorities say that he is a Nabi while others differ. They claim that he is a pious servant of Allah Ta'ala--a great Wali. Allah Ta'ala mentions certain episodes about Khidhr (alayhis salaam) in the Qur'aan Shareef. Many great Auliya have reported seeing and meeting him. When Rasulullah (sallallahu alayhi wasallam) died, he came home and offered his condolences to the members of Rasulullah's (sallallahu alayhi wasallam) family. There are certain Ulama among our groups who deny the existence of Khidhr (alayhis salaam). Such Ulama are spiritually dry. They lack the spiritual dimension of the Shariah. The eyes of their hearts are blind and the ears of their hearts are deaf, hence their understanding fails to comprehend the reality which countless great Auliya of Islam as well as Sahaaba have reported.

Q Can we eat fish-fingers?

A. Fish-fingers are made of fish and to the best of our knowledge contain no haraam ingredients. They are therefore halaal.

Q. Can we eat cultivated mushrooms?

A. Cultivated mushrooms are plants and its eating is permissible.

Q. You mentioned in the Majlis that Muslims should not bury Qadianis nor should Muslims marry Qadiaanis. The cemetery has been donated to Muslims by a non-Muslim authority and I feel that Qadiaanis must be buried in our cemeteries. Instead of uniting our people, you are dividing them by creating Qadiaani, Shiah and Sunni divisions. Many of our Muslims girls marry non-Muslims, Hindus and Tamils, without the consent of their parents. I will be willing to marry my daughter to a Qadiaani or any other sect in Islaam than to marry her to a non-believer, Tamil or Hindu. I am a Sunni Muslim.

A. The faasiq and faajir who wrote the letter, extracts of which appear in this question, happens to be a "commissioner of oaths", and he has appropriated the title, *Haji*, for himself. Haaji Saheb! The articles in The Majlis pertaining to Qadianism, Shi'ism and other baatil sects are not meant for you. They are meant for Muslims who are conscious of the fact that they are Muslims. You can give your daughter to a kaafir Qadiaani and arrange your abode in *Jahannum*. That is your choice. They can bury you in a kaafir cemetery and it will not matter. But, to us it will matter if a kaafir Qadiaani is buried in our Qabrus-taan. Your thinking is confused and you are labouring in profound ignorance. In the interests of Imaan we will always proclaim that Qadiaanis are kaafirs and Shiahs are an errant, deviated and satanic sect. These divisions have been created by the baatil sects themselves, and we will not hesitate to publicize this fact to pamper the opinions and feelings of juhala of your calibre.

Q. A grave-worshipper told me that making sajdah for a grave of a Wali is not haraam. He argues that even Allah Ta'ala ordered His creation to make sajdah for Hadhrat Nabi Aadam [alayhis salaam]. Making sajdah is therefore a mark of respect for the great saints of Allah. What does the Shariat say about this argument presented by the grave-worshipper?

A. Grave-worshippers, without any exception, lack intelligence. Hence, all their arguments are directed to the emotions of people. Ignorance plays much on emotions, hence unlearned people seem to fall in the trap of

the ignorant arguments put forward by the qabar pujaaris. Muslims are not bound to follow the acts and laws which prevailed in former times and were peculiar to the then circumstances and Shariats. We are commanded to follow the Shariah brought and expounded by Muhammadur Rasulullah (sallallahu alayhi wasallam). We do not follow the Shariah of any previous Nabi nor that of the Malaaikeh. We are the servants of Islam as taught by Rasulullah (sallallahu alayhi wasallam). The Malaaikeh were commanded by Allah Ta'ala to prostrate in the presence of Aadam (alayhis salaam). Aadam (alayhis salaam) was commanded by Allah Ta'ala to perform the nikah of his sons to his daughters. Marriage in that Shariat was permissible between brother and sister. Qurban meat was haraam for consumption in all previous Shariats of the various Ambiyaa. But we, in general, and the qabar pujaaris in particular, relish in the consumption of Qurban meat. In the Shariat of Aadam (alayhis salaam) three days fasting every month were compulsory, but not so in our Shariah. The same difference applies to a multitude of *ahkaam*. If a qabar pujaari can argue that sajdah for a grave is permissible because of the sajdah made for Aadam (alayhis salaam), a fire-pujaari can argue that marriage to one's sister is permissible because Aadam (alayhis salaam) married his sons to his own daughters. The fallacy of the argument is manifest. We are bound to follow the ruling and the final Shariah and not laws and acts which Allah Ta'ala has abrogated through the agency of Rasulullah (sallallahu alayhi wasallam). And, the final Shariah of Allah Ta'ala ordains the prohibition of sajdah and all forms of grave-worshipping, no matter how much the qabar pujaaris may detest this Command of the Shariah.

Q. Some years ago during an argument with my wife I uttered, *talaaq* once to her. Now again I have in anger pronounced *talaaq* to her once. Is the first *talaaq* which I gave years ago still valid? Is my wife now a woman of one *talaaq* or two *talaaqs*?

A. You have already administered two *talaaqs*. The *talaaq* given years ago stands. You should now be very careful and not become the slave of your anger. If again you give her *talaaq* then all the three *talaaqs* will come into force immediately. Your nikah will be severed permanently and you will not be able to retain her nor marry her again.

Q. My wife has left home without my consent. She is presently living with her parents. I did not expel her from the home. She left of her own accord because of some silly argument. I have several times called her to return home, but she refuses. Her parents now insist that I send money to her for her expenses. They claim that because she is my wife I am bound to provide her expenses. Please explain the Islamic law in my case.

A. Your wife according to the Shariah is disobedient. She has betrayed a sacred trust in acting so satanically in leaving home irrespective of the argument--be it silly or grave. She had no right to leave home. She is guilty of a greater sin now in refusing to return despite her husband's calls. As long as she remains away from home in this haraam way, the Curse of Allah and the Malaaikeh will descend on her. As long as she refuses to return home, she is not entitled to demand expenses from you. Her parents are wrong and audacious in their claim.

Q. A man divorced his wife once by saying: *I talaaq you. He did not recall her and her iddat expires. After expiry of her iddat he went back to her and they are now living together. Some people say that it is haraam for them to live together since no nikah has been made again. But, the man argues that he gave her only one talaaq, hence there is no need for a nikah. Who is right in this matter?*

A. The *talaaq* which this man gave was *talaaq raj'i* which remains a revocable divorce within the *iddat* period. Upon expiry of the *iddat*, if he did not recall her, then the same *talaaq* is transformed into *talaaq ba'in*, the effect of which severed the nikah bond. However, since only one *talaaq* was given, the husband can remarry her. In this case it is haraam for the couple to live together without having made nikah. They must immediately separate and perform nikah.

Q. I have a son who has gone astray. He associates with evil company and has never been an asset to any of the family. For many years he has not been living with us and we hardly see him. I am in the process of drawing up my Will. Can I exclude this son from the Will? Also, my daughters are married to husbands of means. In fact, their financial position is better than that of my other sons. Under these circumstances can I bequeath amounts for my daughters, less than their normal share. I am sure that if I discuss the matter with my daughters, they will agree.

A. You have no such rights in the Shariah. It is absolutely haraam for you to interfere with the Shar'i shares of your heirs even if they consent. Notwithstanding your son's disobedience and absence, you are not allowed by the Shariah to exclude him from your Will. Our advice to you is to forget about the past and the future worldly matters. When you die, your wealth will be of no benefit to you. Why go into your grave with encumbrances of this transitory world? Why displease Allah Ta'ala on the eve of your meeting with Him? Intelligence and Imaan will dictate to you the worthlessness of this world and its wealth. A man has no rights in his wealth after death. All

bequests in contravention of the Shariah are baatil and haraam. The punishment for such violation is indeed severe. Don't worry about your wealth and your disobedient son inheriting in your wealth. You have to concern yourself with your onward journey into the *Aakhirah*, the first station being the Qabr. Rasulullah (sallallahu alayhi wasallam) said that the *world is carrion*. Only vultures prey on carrion. Let us not display such base attitudes and qualities inherent in vultures. May Allah Ta'ala give us all the *taufeeq* to face the matter of inheritance in the correct Shar'i matter. Numerous Muslims displease Allah Ta'ala and invoke His Wrath on the eve of their meeting Him by defrauding their rightful heirs of their Shar'i shares.

Q. In Transvaal there is a Muslim organization called, Jaami Ltd. This organization lends money to Muslims on an interest-free basis. Shareholders obtain a share of the profits derived from the operations of the company. Please inform us of the standing of this company according to the Shariah. We have observed in the last Majlis that dealing in shares is not permissible. What is the standing of Jaami Ltd.

A. As far as Jaami Ltd. is concerned, our information is limited. From the information at our disposal, everything does not seem Islamic with Jaami Ltd. We have written to the company concerned for information regarding its set-up and methods of operation. We have not yet heard from them. Upon more information becoming available, we will, Insha'Allah, notify the Muslim community of the position of Jaami Ltd. in terms of the Shariah.

Q. Should Tablighi Jamaat brothers attend mixed gatherings of men and women with the intention of promoting the work of Da'wah and Tabligh, i.e. to try and win over the Imaam who allows such mixed gatherings?

A. The cause of the Deen--Allah's Cause--can never be promoted by indulgence in unlawful activities. In all affairs Muslims should operate within the confines of the Shariah. Mixed gatherings are haraam. We need to win the Pleasure of Allah Ta'ala and not the pleasure of the Imaam who perpetrates the haraam act of condoning mixed gatherings. Success in all our activities, be it of a Deeni nature or of a mundane kind, is dependent upon pleasing Allah Ta'ala. Such pleasure is attainable only by obedience of the Law of Allah Ta'ala. Success is not to be measured by the number of people one is able to please and win over. Success is confined to the Pleasure of Allah Ta'ala. Such arguments of expediency as are advanced by some brothers for promoting the work of Tabligh are spurious, baseless and tricks of the nafs. The nafs and shaitaan mislead many people by the presentation of a Deeni facade. In short, it is not permissible to pursue the work of Tabligh in the unlawful method of mixed gatherings.

Q. A man in our community is the chairman of a Muslim society. Recently the school organized a dance. Some Muslim girls also attended. One of the girls who attended the dance was the daughter of this chairman. Some Ulama spoke out against the dance. The chairman of the organization goes around telling people that the Ulama should not worry about the daughters of other people, for people can themselves take care of their daughters. Please comment.

A. If people did in fact possess the ability to take care of their daughters then these girls would not have so audaciously attended and participated in acts of zina (dancing), and that too with kuffaar. If Mr. Chairman was able to take care of his daughter, he would not have allowed his daughter to be an object of zina for the men of kufr and idolatry. This chairman, in the words of the Shariah is a *dayyoo*. He is wholly unfit to be a father. Recently, our local court sentenced to prison a mother who aided her boyfriend in raping her own 12 year and 8 year old daughters. This father, in terms of the Shariah, is guilty of a similar reprehensible crime. In sending his daughter to the dance, he has aided in the villainy of the rape of his daughter's hayaa and chastity by the kuffaar. This *dayyoo* is a criminal of the worse kind. He is sunk in moral depravity, hence, he could offer his daughter's hayaa for plunder and pillage to the kaafir wolves in the dens of zina. What type of father is this faasiq and faajir. His moral depravity is of such a low level--so vile--that he does not constitute a valid *mahram* for her. If his daughter wishes to go for Hajj, but has no other *mahram*, but her father, to accompany her, then she cannot go for Hajj in his company because his moral degeneration is highly dangerous for her chastity. What should one think of a Muslim father who stoops to the low, corrupt and contemptible level of offering the hayaa of his daughter to the kuffaar. Shame and shame a multitude of times on this man. Regarding his remarks about the Ulama, well, let him know that the Ulama will make it their duty to worry about the daughters of other people when such "other people" no longer worry about their own daughters--when such "other people" offer their Muslim daughters for plundering by kuffaar in the halls of adultery. The duty of commanding righteousness and prohibiting evil is a sacred obligation upon the Ulama. We cannot shirk this responsibility because of the baatil opinion of the likes of Mr. Chairman & Co. We will, Insha'Allah, proclaim the Deen, no matter how much men of Mr. Chairman's ilk detest it. We are answerable to Allah Ta'ala and not to any Mr. Chairman or the community.

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IMAM BUKHARI

In our day there exist many a deviated 'luminary' who finds fault with that Kitaab described as the most authentic book after the *BOOK OF Allah*. That most authentic book is the Saheeh of Imaam Bukhaari (rahmatullah alayh). The value of this treasure is appreciated only by those in whose hearts Allah Ta'ala has inspired a portion of the Noor of knowledge. The following brief background of Bukhaari Shareef will indicate the importance and authenticity of this great book of hadith.

Once the famous and illustrious Muhaddith, Hadhrat Imaam Ishaq Bin Raahwiyah while imparting hadith lessons to his class, commented:

"It will indeed be a wonderful accomplishment if you prepare such a kitaab which will contain only authentic ahadith."

All present heard the comment of the great Imaam, but it sank into the heart of only the fortunate one whom Allah Ta'ala had destined to execute this great task. That person who was to receive this great honour was Hadhrat Imaam Bukhaari (rahmatullah alayhi), a student of Imaam Ishaq Bin Raahwiyah (rahmatullah alayh). After having heard this wish expressed by his Ustad, Hadhrat Imaam Bukhaari (rahmatullah alayhi) resolved to pursue the momentous task.

Once Imaam Bukhaari (rahmatullah alayhi) saw in a dream that he was standing in the presence of Rasulullah (sallallahu alayhi wasallam) with a fan in his hand. With the fan he was warding off the flies from Rasulullah (sallallahu alayhi wasallam). The authorities in the science of interpretation of dreams interpreted the dream to mean that Imaam Bukhaari (rahmatullah alayhi) will be executing the task of eliminating fabrications and falsehood which had become interpolated into the ahadith of Rasulullah (sallallahu alayhi wasallam).

Imaam Bukhaari (rahmatullah alayhi) set about his task with the greatest of sincerity, diligence, effort, enthusiasm and labour. He undertook numerous journeys to far off places in his quest for establishing the authenticity of the ahadith of Nabi-e-Kareem (sallallahu alayhi wasallam). In his sacred task he left no stone unturned. He had memorised six hundred thousand ahadith. This in itself speaks volumes for the unique memory of the great Imaam. On a standard consisting of the severest and most stringent conditions, Imaam Bukhaari (rahmatullah alayhi) commenced sifting the six hundred thousand ahadith which he had memorised. He did not satisfy himself with only memory and ingenuity but brought into operation the highest stages of taqwa (piety) tahaarat (purity) and khuloos (sincerity). After having exhausted all human effort in ascertaining the authenticity of a hadith which he chose out of the six hundred thousand, and he finally decided to write in into his Saheeh, the great Imaam would firstly make ghushl and thereafter perform two raka'ats Nafl Salaat in that spot known as *Riyaadul Jannat* (i.e. that place between the grave and mimbar of Rasulullah-sallallahu alayhi wasallam), and on inspiration would record the Hadith in his Kitaab. This was the procedure which Imaam Bukhaari (rahmatullah alayhi) adopted for each Hadith which he decided to record in his Saheeh. In this supreme manner of love and striving, the great Imaam spent sixteen years in compiling the Kitaab known as Saheehul Bukhaari.

A saint saw in a dream that Rasulullah (sallallahu alayhi wasallam) with a group of Sahaabah standing as if they were awaiting the arrival of someone. In his dream, the saint asked Rasulullah (sallallahu alayhi wasallam) about the one for whom they were waiting. Rasulullah (sallallahu alayhi wasallam) replied that they were waiting for Muhammad Bin Ismail Bukhaari. When later the news of the great Imaam's death reached this saint, he realized that Imaam Bukhaari (rahmatullah alayhi) had died at the precise time when he had seen in his dream Rasulullah (sallallahu alayhi wasallam) and the group of Sahaabah waiting...

After Imaam Bukhaari (rahmatullah alayh) was buried a wonderful fragrance erupted from his grave. For days people would come and take away the sweet-smelling soil and retain it as an object of blessing. Finally arrangements had to be made to prevent people from removing the soil so that the sign of the Imaam's grave is not obliterated.

BID'AH IN IBAADAT

Imaam Ghizaali (rahmatullaah alayhi) said:
"An act not in accordance with the command and method of Rasulullah (sallallahu alayhi wasallam) is sin even if it has the resemblance of Ibaadat."
(Maktub)

OUR FALL

People wonder why Allah Ta'ala has snatched away the political power of the world from the Muslims and handed it to the kuffaar. The actual cause for this is Muslim disobedience and rejection of the Deen as was taught by Rasulullah (sallallahu alayhi wasallam). Hadhrat Hakimul Ummat Maulana Ashraf Ali Thanvi (rahmatullah alayh) explains our fall in the following analogy to facilitate our understanding.

The slightest spot of impurity which attaches itself to an object of purity and brightness, renders that object detestable. For example, one's headgear (topee). If some impurity falls on it, it is immediately removed and left for cleaning. No decent person will keep it on his head. On the contrary, shoes are kept on no matter how much impurity accumulates on it. Wearing impure shoes is not regarded as detestable. In a similar way, Muslims who claim to have love for Allah become detestable because of the impurity of their disobedience. Hence, like the headgear they are removed whereas the enemies (i.e. the kuffaar) by practicing even slightly on the correct principles obtain from Allah Ta'ala that which is supposed to be attainable on the basis of the principles. Their example is like that of the shoes. Impurity, no matter how much, does not make them detestable. They obtain in spite of being the enemies of Allah Ta'ala.

Evil charity

Nowadays, most people who are involved in some activity of the Deen do so for the sake of aggrandizement and not for the sake of the Deen. The aim is not to obtain the pleasure of Allah, but to establish name and glory for themselves. This is particularly manifest in the methods of fund-raising which officials of organizations employ. Various un-Islamic and haraam ways and means are adopted to raise funds for whatever project is in mind. The project is outwardly laudable, e.g. building a Masjid, Madressa, orphanage, etc., but the intention and motive underlying the work are corrupt. It is this corruptness of motive which impels people to adopt haraam means for raising funds to be utilized in a project ostensibly dedicated to Allah Ta'ala. But, they should remember well that Rasulullah (sallallahu alayhi wasallam) said:

"Allah is pure and He accepts only what is pure."

Among the haraam ways of raising funds for religious projects are:

- * Pressurizing people to contribute funds. Such pressure is brought about in several ways--directly and indirectly. Remember, only that which has been given with a happy heart and without pressure is halaal. Money extracted under duress is not halaal. Such money cannot be used in the works of Allah Ta'ala.
- * Organizing bazaars in which a variety of haraam and major sins take place. Among the evils attendant to such bazaars are music, intermingling of men and women, selling of haraam items, e.g. images, etc., and other un-Islamic activities.
- * Cake-stalls arranged on public roads. Such stalls are invariably manned by women whose very presence in the streets invokes the Wrath and Curse of Allah Ta'ala and His Malaaikeh. Muslim women are put into contact with all and sundry among the kuffaar. The men who assist in such haraam and shameless exhibition of Muslim women in public streets are termed *dayyoos* by the Shariah.
- * Organizing fun-games in imitation of the kuffaar. Such games are used to solicit money from the public. Again mostly girls are used as exhibitions in the baneful motive of soliciting money. Those responsible for such haraam activities are in fact prostituting the modesty and shame of Muslim females.
- * Films are shown. Films depicting human characters, as all know, are haraam. Yet such evil is used to raise funds for a Masjid and Madressa.

Among the latest methods of haraam proposed for religious institutions is to take interest-bearing loans. The degeneration of the community has now reached that level where officials consider even money derived from brothels as lawful for use in Mosques and Madressas. Riba, in the words of Rasulullah (sallallahu alayhi wasallam) is worse than committing fornication with one's own mother.

All these evils employed by organizations with high-sounding religious names indicate that the aim and object of the activity is not to gain the pleasure of Allah Ta'ala, but is based on some ulterior motive, usually the desire for *jaah* (fame and name). Allah Ta'ala is not interested in an elaborate structure overtly erected for the sake of the Deen, but in reality motivated by despicable desires. The Shariah does not require elaborate and decorative buildings devoid of sincerity and shorn of the blessing of Allah Ta'ala. Such institutions can never produce results beneficial to the Deen. In doing the work of the Deen, people should rectify their intentions and purify their motives. Base motives upon which Deeni work is based nowadays will only bring ruin and disaster for the hypocrites concealing under cover of the Deen.

"Allah has made lawful trade and forbidden interest"

Some claimants to intelligence contend that prohibition of interest (riba) impedes the development of the community. They contend that progress without interest is not possible. Even from a worldly angle this argument is fallacious. Progress and development on the contrary are thwarted by riba, hence the Shar'i prohibition. The scope of this article does not admit a discussion on this subject from a worldly angle.

Even among Muslims there are many devourers of interest and other kinds of riba, but they are not progressing. On the contrary they retard the progress of others by their heartlessness and exorbitant charges of interest. Devourers of riba become extremely hard-hearted. The impurity of interest devours all spirituality of the heart and renders it like a stone or even harder than a stone, for in the words of the Qur'aan Shareef, water gushes forth from stone and rocks and boulders roll down in fear of Allah. But, the heart of man nourished by riba is consumed with lust, avarice, hardness, cruelty and a host of other contemptible qualities. A devourer of interest is despicable in the eyes of man, for he is regarded as a blood-sucker, a parasite. And, in the Eyes of Allah he is regarded as a man driven to insanity by the influence of shaitaan, hence the Qur'aan-e-Hakeem declares:

"Those who devour riba, do not stand but like one who has become insane by the touch of shaitaan."

Can consumers of interest now be on progress and development?

A Muslim does not measure progress in terms of abundance of wealth and material possessions. Devourers of interest may have huge bank balances and huge mansions. But their money is devoid of any blessing. In the majority of cases they themselves do not derive any benefit from their wealth and their mansions are miserable, afflicted with many a domestic tale of sorrow and woe. At times they have all the wealth, but they are smitten with the calamity of diseases which banish the pleasure which they could have attained from their ill-gotten wealth. Such people have no time and no feeling for those in need, not even for their close relatives. Is this then success and progress?

They have no mercy on others. Their hearts are dry and hard. Their hearts never pain when seeing another in distress. Their hearts are like the hearts of lawyers and advocates. There is no profession more despicable and no group of human beings more contemptible and more heartless than lawyers and advocates. Lawyers and advocates, in hardness of heart, meanness and selfishness, surpass by far traders who devour riba. This is so, because traders devour riba in only a limited way whereas the whole profession and the entire earnings of lawyers and advocates are haraam and riba.

In the final analysis, the wealth of the majority of devourers of riba is ultimately destroyed. How can they be successful when they leech on the blood of those in distress. Assuming that they do attain worldly luxuries and comforts, then too of what use are these when their eternal life of happiness and their Deen have been utterly ruined?

KABAH

It is narrated that some Auliyah who had gone to Makkah Mukarramah for Hajj, were greatly astonished to find that the Ka'bah was missing. A certain Wali petitioned Allah Ta'ala for knowledge about the whereabouts of the Ka'ba at that particular time. It was revealed to him that the Ka'bah had gone to welcome a particular Wali who was approaching.

This incident created doubt and scepticism in certain people. Those who had no connection with the Deen dismissed this narration with mockery and accused the Wali of being the victim of imagination. Some people who although pious lack in the spiritual dimension of Islam. These people too dismissed this episode as the meaningless talk of the Sufiyah. Others again said that this being illogic is not probable. Since such rejectors lack Deeni understanding, they failed to realize the reality and the truth of such occurrences.

Hadhrat Hakimul Ummat Maulana Ashraf Ali Thanvi (rahmatullah alayhi) gives the following explanation of this episode.

"Understand that the Ka'bah has external form as well as internal form. Its external form is its physical appearance and building. Its internal dimension is its *Rooh* (soul). The *Rooh* of the Ka'bah is a special *Tajalli* (a celestial substance). The external form of the Ka'bah is the abode of manifestation for this *Tajalli*. Thus, the Wali who witnessed that the Ka'bah was not in its place, saw that the *Rooh* of the Ka'bah was missing. The *Rooh* of the Ka'bah had gone to welcome a certain approaching saint"

Imaam Auzaai (rahmatullah alayhi) said to his student Baqiyah Bin Walid (rahmatullah alayh):

"O Baqiyah! Knowledge is what is narrated from Rasulullah [sallallahu alayhi wasallam] and his Sahaabah. That which is not from them is not knowledge."

EDITORIAL

THE FALLACY of the MAJORITY

A fallacy which Muslims of this age have inherited from non-Muslim influences is the aspect of *majority decision or majority vote*. Rectitude and truth are nowadays considered to be in what the majority decides. So much has this aspect influenced Muslim minds that in almost every constitution of almost every society we find the clause of *two-thirds majority* as if it was some holy writ. It being a *holy writ* in the minds of Muslim drafters of such constitutions, there seems little doubt, for they accord greater importance to the *two-thirds majority* business than to even the limits of the Shariah. The modelling of constitutions governing Muslim bodies along kuffaar lines is a clear demonstration of the lack of independent thinking on behalf of Muslims. Inferiority of mind and understanding and subservience to western mentality have seeped into every drop of blood of Muslims with split personalities—half Muslim and half western. This enslavement of the mind to the majority who without exception is always the ignorant ones, is contrary to the loftiness of a Muslim intelligence based in the obedience of the Sunnah of Rasulullah (sallallahu alayhi wasallam).

A Muslim mind and thinking have to operate along the principled avenues of the Shariah and not some *majority decision* which springs from personal opinion and the base nafs. About such *majority decision*, the Qur'aan-e-Hakeem declares:

"If you follow the majority on earth, they (the majority of people) will lead you astray away from the path of Allah, for verily, they follow nothing but opinion and they do nothing but conjecture."
[Surah AN'aam]

It is an established fact that there is always a dearth of intelligence. The intelligent and wise ones are always in minority. Such minority cannot therefore, follow a majority like dumb animals. On the contrary the Shariah commands that the majority follow the intelligent minority, be that minority even a single person. Islam does not envisage a parliamentary system consisting of a preponderance of dumb and ignorant members of parliament, who have been elected by a dumb and ignorant majority, whose allegiance is like a swinging pendulum. Today the dumb and ignorant majority votes for one ignoramus and tomorrow the self-same majority on emotional grounds or on the basis of fallacious arguments switches its allegiance to a rival party. Islam vests authority in a single intelligent and wise individual who qualifies to be the Representative of Allah Ta'ala. Shar'i history bears ample testimony to this irrefutable fact. Thus, we see the first Representative of Rasulullah (sallallahu alayhi wasallam), Ameerul Mu'mineen Abu Bakr (radiallahu anhu) being appointed by a single intelligent and wise man of Allah Ta'ala, Hadhrat Umar Ibn al-Khattab (radiallahu anhu). No vote was taken and no majority decided who was to occupy the highest and the most important

post, viz. the post of Khilaafat. In a similar way, the next Ameerul Mu'mineen of the Ummah and Representative of Allah Ta'ala through the agency of Rasulullah (sallallahu alayhi wasallam), viz. Hadhrat Umar (radiallahu anhu) was appointed by a single individual, viz., by Hadhrat Abu Bakr (radiallahu anhu). No majority, no parliament, no consultative assembly was called on to advise and ratify the decision of the single wise and intelligent man, Ameerul Mu'mineen Abu Bakr (radiallahu anhu). The majority had no right to decide this high and important post. The duty of the majority was to follow and so did it in spite of the fact that that august majority of Sahaabah contained numerous Ulama and illustrious Stars of Shar'i knowledge, wisdom, insight and piety. In like manner, the third Representative of Rasulullah (sallallahu alayhi wasallam), viz., Ameerul Mu'mineen Hadhrat Uthmaan Ibn Affaan (radiallahu anhu) was appointed from a panel of six Sahaabah appointed by a single wise and intelligent individual, viz., Ameerul Mu'mineen Hadhrat Umar (radiallahu anhu). He set out the way of appointment down to the minutest detail and charged the panel to act accordingly and commanded the majority to accept and submit to the decision of the minority, and so was it done. In short, the entire spirit of Islam directs to the system of intelligent minority and not dumb and ignorant majority which is responsible for all the anarchy and mischief—*fitnah and fasaad*—prevailing today on earth.

It is the Divine Sunnah to assert the dominance of the minority, be that minority a single individual. Allah Ta'ala is Unity and He despatched Nabis who were His Representatives in their individual capacities. In both the spiritual and mundane affairs of Islam, the direction is given by an individual who possesses the requisite intelligence. Each century Allah Ta'ala sends a Mujaddid who fulfils the duties of his mission in his individual capacity. The Imaams of the Math-ahib were authorities in their individual capacities which were not creations of the majority. The Mashaikh of Tasawwuf were and are all individuals who do not operate along majority-rule conception. In short, the question of majority decision has never been a Shar'i principle. The majority has always been made subservient to the minority in Islam. In Islam, it is the minority operating along the principles and guidance of the Shariah, who controls, commands and directs the majority and such intelligent and wise minority is not appointed or elected by the majority.

Even where the Ameerul Mu'mineen or any Ameer for that matter, has some kind of advisory council to assist in the affairs of Islam and the community, the decision of such advisory body is not binding on the Ameer. The decision of the advisory council will be in the capacity of advice, the acceptance of which is not obligatory on the Ameer. The Ameer is not subservient to his advisory council. On the contrary, the advisory council is subser-

vient to the Ameer whose decision will be final as long as it conforms to the Shariah. In Islam, the Ameer is no figure-head or puppet to be manipulated by the majority. He is a man of wisdom and intelligence. His superiority is an established Shar'i fact. The conception of western or kuffaar equality is not entertained by Islam. If the majority or even the unanimous opinion of his advisory council which of course consists of intelligent men, conflicts with the opinion or decision of the Ameer, the Shariah entitles him to reject the unanimous opinion of his advisory council and legislate on the basis of his own decision based on Shar'i principles.

A classical example of the dominance and prevalence of minority decision over majority decision is Ameerul Mu'mineen Abu Bakr's rejection of the unanimous advice and opinion of all the Sahaabah on the question of waging jihaad against the deniers of Zakaat. After the demise of Rasulullah (sallallahu alayhi wasallam) some tribes reneged from Islam. They became murtad. Some linked up with Musailimah Kath-thaab the claimant of nubuwat while others although not joining with the open rejectors of Islam, denied the *fardhiyat* of Zakaat. They proclaimed themselves to be Muslim. They pronounced tauheed and risalat, accepted the Ka'bah as the Qiblah and accepted the *fardhiyat* of Salaat. They interpreted away the obligation of Zakaat, claiming that the *fardhiyat* of Zakaat was confined to the period of Rasulullah's (sallallahu alayhi wasallam) life-time. Regarding the first group, viz., Musailimah Kath-thaab and his followers all the Sahaabah unanimously agreed to wage jihaad against them since there was no ambiguity in them being murtad. In regard to the second group, all the Sahaabah including the sternest (Hadhrat Umar) with the exception of Ameerul Mu'mineen Abu Bakr (radiallahu anhu) adopted a conciliatory attitude. They were all of the opinion that the latter group was proclaiming itself to be Muslim, subscribing to all the fundamental doctrines of Islam and did not openly reject Zakaat, but by way of interpretation (*ta'weel*) confined it to the age of Rasulullah (sallallahu alayhi wasallam). They, therefore, felt that jihaad against Muslims was not permissible. The Sahaabah through their spokesman, Sayyiduna Umar (radiallahu anhu) advised Hadhrat Abu Bakr (radiallahu anhu) to adopt caution and conciliation. They were all unanimously against jihaad against the second group. However, notwithstanding the unanimous decision and advice of the Sahaabah, Hadhrat Abu Bakr (radiallahu anhu) firmly rejected the majority opinion and commanded the waging of jihaad against all deniers of Zakaat, whether the denial was outright rejection or based on interpretation. The decision of the single individual, Ameerul Mu'mineen dominated the scene and prevailed. All the Sahaabah submitted without any dispute. This then is the rank and position of the minority in Islam.

Hadhrat Imaam Malik (rahmatullah alayhi) narrates that once Imaam Rabee' (rahmatullah alayhi) was overwhelmed with grief and tears. He was asked if any hardship had afflicted him.. He replied:

"NO! But, I am observing that matters of the Deen are being asked of people without knowledge and this is in fact the forerunner of going astray."

Tashab-Buh

Regarding the Muslim community following in the footsteps of the kuffaar, Rasulullah (sallallahu alayhi wasallam) predicted as follows:

"Most certainly will you follow hard in the footsteps of those who went before you. So much will you follow them that if they [kuffaar] entered into a hole of a lizard, you will follow them into it."

The Sahaabah asked: "O Messenger of Allah! Do you mean the Yahud and the Nasaraa."

Rasulullah (sallallahu alayhi wasallam) said: "Yes."

This prediction of Rasulullah (sallallahu alayhi wasallam) has found realization among us today. There is not a single avenue, not a single practice, not a single way or method in which Muslims have not introduced the imitation of the kuffaar. Ways of living, eating, earning livelihood, sport, tuition, acquisition of knowledge—political ways, economic ways, social ways and even in Ibaadat, Muslims are the victims of imitation of the kuffaar. It is because of such total imitation of kuffaar ways of life that the Muslim community as a whole has become assimilated in the tide of kufr culture and life. The Muslim nation as a whole has lost its identity, yet it wonders why it is today the slave of the western and eastern worlds. Rasulullah (sallallahu alayhi wasallam) warned:

"He who imitates a nation, becomes of them."

In one Hadith, Rasulullah (sallallahu alayhi wasallam) describing the degree of the insanity of imitating the kuffaar, said that if they (kuffaar) commit fornication with their mothers in the public,, then among Muslims too will there be those who will commit the same heinous sin of moral depravity because of the intoxication of tashabbuh bil kuffaar (imitation of the kuffaar).

ISLAMIC JUSTICE

Once, Ameerul Mu'mineen Hadhrat Umar (radiallahu anhu) while patrolling in a street at night, heard the sound of music coming from one house. Hadhrat Umar (radiallahu anhu) went up to the door, but due to being absorbed in the music, the inmates of the house did not hear Hadhrat Umar's call. Finally, Hadhrat Umar (radiallahu anhu) gained entry to the house from the rear.

Seeing Ameerul Mu'mineen, the culprits became terrified, for Ameerul Mu'mineen was swift in meting out justice. He always carried along with him his whip of justice. Nevertheless, his justice was well-known and everyone realised that truth will never anger Ameerul Mu'mineen. Hence, one of the group mustered up courage and said:

"O Ameerul Mu'mineen! We committed a single sin, but you committed three sins. Firstly, you barged into our house without permission whereas the Qur'aan Shareef declares: 'Enter not the homes of others until you have taken permission and greeted its inmates.' Secondly, you spied while the Qur'aan Shareef prohibits this by saying: 'And, do not spie on one another.' Thirdly, you entered from the rear whereas the Qur'aan Shareef says: 'Piety is not that you approach houses from their rear.'"

Hearing this, Hadhrat Umar (radiallahu anhu) said:

"I repent for my sins, you too repent for your sin."

This then was the relationship of freedom between the ruler and the ruled in the early days of Islam.

COPYRIGHT and PATENCY

Hadhrat Hakimul Ummat Maulana Ashraf Ali Thanvi (rahmatullah alayhi) said:

"Among the prohibited practices are registration of copyright of books and the buying and selling of such rights. Pure rights are not the subjects of property or ownership as is apparent to the people of knowledge. Therefore, it is haraam and sinful to prevent others from deriving benefit by such registration of rights. Allah Ta'ala says: 'Do not devour your wealth among yourselves in unlawful ways.'"

VICES

Among the evil practices is visiting places of fun and amusement. In this practice even some Ulama are involved. Such places are for example, theatres, halls (to see sporting matches, e.g. wrestling, boxing), exhibition halls, fairs and festivals of the kuffaar, etc. At such places, in most cases, transpire acts in conflict with the Shariah. Music, intermingling of sexes, gambling, exposing of the *satr* as in the case of wrestlers and boxers, etc., are among the evil and haraam acts prevalent at such places.

There is no need to even explain the evils and kufriyat which dominate the gatherings and festivals of the kuffaar. Attending such gatherings is aiding sin and kufr and to support immorality and shamelessness. According to the Hadith Shareef, those who grace the gatherings of any nation becomes one of them. Rasulullah (sallallahu alayhi wasallam) even forbade the Sahaabah from sitting along public roads because it is most difficult to abstain from sin while sitting in such places.

(Hadhrat Hakimul Ummat)

NONSENSICAL

Rasulullah (sallallahu alayhi wasallam) said:

"Of the beauty of a man's Islam is his shunning of idle talk."

According to Imaam Malik (rahmatullah alayhi) the meaning of *idle talk* mentioned in the hadith is permissible talk which is not necessary. In other words, although there may be no evil in the discussion, but if it is not necessary, indulgence in it will be described as *laa-ya'ni* or idle, nonsensical and futile. Such futile talk is injurious to one's spiritual development. In the initial stages such unnecessary talk may be contained within the confines of legality. However, as one becomes habituated to nonsensical talk, it will generate into haraam talk with all its evil results.

Someone enquired from Hadhrat Luqmaan (alayhis salaam): "How did you attain your lofty rank?"

He replied: "By virtue of three deeds. By speaking what is correct. Discharging trust and abstention from nonsensical talk."

Some opinions of SPIRITUAL CORRUPTION propounded by

SHI'IS — EXPONENTS OF of Evil Condemnation

The attribution of deviation and gross error to the Khulafa Raashideen is part of Shi'i belief. Criticizing Ameerul Mu'mineen Hadhrat Umar (radiallahu anhu), the Shi'i priest Muhammad Baqir Sadr writes:

"...we find that it is necessary to accept the existence of a large trend, from the very lifetime of the Prophet, who inclined towards proposing the use of ijtihaad and circumstantial considerations in determining their interests, above strict adherence to the religious texts."

"This trend was represented by a daring group of important Companions like, Umar b-al-Khattab, who disputed with the Messenger [S] and made judgements contradicting the text in many subjects, believing that he had the right to do so."

The type of 'ijtihaad' which the Shiahs attribute to Hadhrat Umar (radiallahu anhu), in particular, and to other Sahaabah, in general, is described in the following statement of Baqir Sadr:

"...we mean by 'ijtihaad' the making of judgements in contradiction to the text or acceptance of such a judgement."

HATRED FOR THE SAHAABAH

The Shiah villification and condemnation of Hadhrat Uthmaan (radiallahu anhu) and Hadhrat Muaawiyah (radiallahu anhu) are almost cardinal articles of belief of the Shi'i religion. These great personalities of Islam and Sahaabah of Rasulallah (sallallahu alayhi wasallam) are subjected by the Shiahs to the vilest of slander, abuse and vituperation. In fact, the whole Shiah religion has its roots in the murder of Ameerul Mu'mineen Sayyiduna Uthmaan (radiallahu anhu). The vile conduct of Shi'ism against Hadhrat Uthmaan and Hadhrat Muaawiyah (radiallahu anhumaa), is therefore, not at all surprising. In refutation of the Shi'i abuse of these illustrious Sons of Islam, Rasulallah (sallallahu alayhi wasallam) said:

"Every Nabi had a rafeeq and my rafeeq in Jannat will be Uthmaan."

(Tirmizi and Ibn Majah)

"Should I not have shame for that man [Uthmaan] for whom even the Malaaiqah have shame?"

(Muslim)

"O Uthmaan! Perhaps Allah will don you with a Mantle [i.e. the Mantle of Khilafat]. If they [i.e. the murderers of Uthmaan, viz., the founders of Shi'ism] desire to remove this Mantle of Allah, then do not remove it for them."

(Tirmizi and Ibn Majah)

"He [Uthmaan] will be killed unjustly during that anarchy (which will take place)."

(Tirmizi)

SAHAABAH UNFIT!

According to Shi'i belief Rasulallah (sallallahu alayhi wasallam) did not prepare Hadhrat Abu Bakr, Hadhrat Umar, Hadhrat Uthmaan and most of the other Sahaaba sufficiently to enable them to assume control of the affairs of the Islamic Ummah after him (sallallahu alayhi wasallam). Hence, in terms of the belief of the Shi'i religion, those whom we, the Ahle Sunnah, believe to be the Khulafa-e-Raashideen, were not qualified for the posts which they had occupied. According to the Shiahs, Hadhrat Abu Bakr, Umar and Uthmaan (radiallahu anhum) were not Islamically qualified to become the Khulafaa of Nabi-e-Kareem (sallallahu alayhi wasallam). Propounding this great falsehood, the Shi'i cleric, Muhammad Baqir Sadr writes:

"These are the dangers which might have arisen from the religious immaturity on the part of his Companions, who had not yet attained the standard at which the Prophet [S] could feel satisfied of a reasonable reaction to the Khalifah after his death, within the religious framework of Islam, and their ability to overcome the hidden contradictions which existed, and continued to exist, in the minds of the Muslims, regarding their divisions into Muhajirun and Ansar, Quraysh and the rest of the Arab tribes, or Makkah and Madinah."

(Islamic Echo, Englan d)

In denying the qualifications of the illustrious and top-ranking Sahaabah such as Hadhrat Abu Bakr, Umar and Uthmaan (radiallahu anhum), Baqir, the Shi'i priest says:

"In fact all this proves without a shade of doubt, that the first generation of the Islamic community [i.e. the Sahaabah], which also included those who came to power after the death of the Prophet [this refers to Hadhrat Abu Bakr, Umar and Uthmaan in particular], did not give thought to the concept of a shura as regards the appointment of the Caliph; nor did they possess a clearly defined understanding of its principles; so how can we believe that the Prophet had instituted a policy of educating his followers concerning the legal and theoretical concepts of a shura, to prepare the Muhajirun and Ansar to submit the leadership of Islam to one elected according to these principles,...."

"For inspite of the fact that the first generation of Muslims was the purest ever to embrace Islam and the most prepared to sacrifice for it, we cannot detect any indication of the specialised preparation required to assume the guardianship of the Faith,...."

Again the Shi'i priest, Baqir Sadr writes:

"In fact the events which took place after the death of the Prophet [S] proved that the Muhajirun and the Ansar had not received any sort of instruction concerning many of the momentous problems which the Da'wa had to face after the time of the Prophet [S], so that neither the Caliph, nor the central government who supported him, had a clear idea as to how the lands won by the

Islamic conquests should be dealt with according to the Sharia, whether these lands should be divided amongst the fighting forces or should be regarded as endowments [awqaf] for the good of all Muslims."

Among the fallacious reasons Baqir Sadr advances in support of the Shiah contention that the Khulafa Raashideen were unqualified to assume the reigns of the Khilafat, is the claim that Rasulallah (sallallahu alayhi wasallam) could not devote all his time to the Companions in order to ground them solidly in the Shariah, hence the knowledge of men like Hadhrat Abu Bakr, Umar and Uthmaan (radiallahu anhum) was deficient according to Shi'ism. In this regard, Baqir Sadr says:

"For this relationship was not one of a teacher or instructor who could devote his time totally to his students, but was in fact that of a Prophet who was an instructor while also the military leader and the head of state."

Baqir Sadr states more brazenly:

"Indeed, even the majority of these individual elites [a reference to the senior Sahaabah] did not possess the religious qualifications which would have made them capable of leading the experience as regards its intellectual and cultural features, inspite of their staunch loyalty and profound devotion,...."

Thus, according to the Shiahs, the great Sahaabah, even the elite among them such as the Khulafa Rashideen who were trained directly by Rasulallah (sallallahu alayhi wasallam) "did not possess the religious qualifications" to rule the Islamic Empire. But, Khomeini possesses such qualification, and the horde of Shiah priests possess such qualifications and the murderers of Ameerul Mu'mineen Saayyiduna Uthmaan (radiallahu anhu) possessed such qualifications!!!

In the above comments of Baqir Sadr it is quite evident that the Shiahs believe that Rasulallah (sallallahu alayhi wasallam) did not accomplish his mission and that he departed from the earth at such a stage when his Sahaabah were not fully developed Imaanically, Islaamically, spiritually and culturally. In fact, in terms of the Shi'i belief, Rasulallah (sallallahu alayhi wasallam) did not achieve the aim of having secured qualification for his Sahaabah in even the knowledge of the Deen. It is because of this kufr belief that the mission of Nabi-e-Kareem (sallallahu alayhi wasallam) not being completed that the Shiahs introduced the doctrine of Imaamate which is in actual fact the perpetuation of Risaalat (Prophethood). The Shiahs extended the Risaalat of Rasulallah (sallallahu alayhi wasallam) into the persons of their twelve Imaams who according to Shiah theology are superior to many Ambiyaa. They have assigned all the attributes of Nubuwwah to the twelve Imaams so that the Imaams can complete what Rasulallah (sallallahu alayhi wasallam) left unfinished of his Risaalat--Nauthu-billah!

WHAT IS

What is Shi'ism? Many Muslims of the Ahle Sunnah Wal Jama'ah, viz. the overwhelming majority of Rasulallah's (sallallahu alayhi wasallam) Ummah, would like to know who and what the Shiah sect is about. The recent domination of the Shiah clergy in Iran has increased the interest in this question. It is also essential now, in view of unwary Muslims unknowingly being misled by Shi'i propaganda, to clarify to all followers of the Sunnah who and what the Shiahs are.

Shi'ism originated as a political movement during the khilaafat of Ameerul Mu'mineen Sayyiduna Uthmaan (radiallahu anhu). This movement had absolutely no relationship with the Deen inspite of its vociferous religious slogans proclaimed solely for public consumption. The prime conspirator in the murder of Hadhrat Uthmaan (radiallahu anhu) was one Abdullah Ibn Sabaa whose father was a Jew and mother a habshi (an Ethiopian African). He embraced Islam in the initial period of Hadhrat Uthmaan's khilaafat. He came to Madinah and involved himself in conspiracy and intrigue, but was unsuccessful in procuring any governmental post after which he was aspiring so much. In short, he left Madinah in dissatisfaction and flitted from one capital to the other in the various lands of the Islamic Empire. He unleashed a flood of pernicious propaganda based on falsehood and entered into a variety of alliances of conspiracies and intrigue aimed at undermining Islam and the Islamic Empire which had spread to its furthest limits under the glorious reign of Ameerul Mu'mineen Sayyiduna Hadhrat Uthmaan (radiallahu anhu). It was this arch-enemy of Islam who enacted the murder of Hadhrat Uthmaan (radiallahu anhu) and out of this murder sprang the Shiah sect. The roots of Shi'ism are in the party of Abdullah Bin Sabaa, the murderers of Rasulallah's (sallallahu alayhi wasallam) Khalifah.

The murderers concealing under the guise of being "supporters" of Hadhrat Ali (radiallahu anhu) and of the Ahl-e-Bait (the Family of Rasulallah--sallallahu alayhi wasallam), diverged from the Path of the Sahaabah and split from the Sunnah of Rasulallah (sallallahu alayhi wasallam). This accidental group rising out of murder of Sayyiduna Uthmaan (radiallahu anhu) became known as the Shiah sect. The Shiah sect itself consists of a number of splinter groups holding heretical beliefs repugnant to Imaan. Since this sect of Shi'ism strayed from the main body of Islam, viz., the Sahaabah of Rasulallah (sallallahu alayhi wasallam), it (Shi'ism) falls within the purview of the following statement of Nabi-e-Kareem (sallallahu alayhi wasallam):

"My Ummah will be divided into seventy three sects. All of them, but one, will be in the Fire."

Hence, Shi'ism is one of the seventy two sects, errant, deviated and baatil. One of those seventy two sects which Rasulallah (sallallahu alayhi wasallam) declared to be condemned to Jahannum.

The difference between Sunni Muslims and Shiahs is not one of minor details as some ignorant people in our

FALSE ALLEGATION

In another crude aspersion cast against the mission of Rasulallah (sallallahu alayhi wasallam), the Shi'i priest, Baqir Sadr states:

"Everything that has gone before proves that the instructions given by the Prophet [S] to the Muhajirun and the Ansar did not reach a level which would have been necessitated by the conscious, intellectual and political preparation required to guide the future path of the Da'wa and the process of change which had been instigated by the Prophet[S]."

Contempt for The Sahaabah

The Shiahs in the introduction of Nahjul Balaaghah reviles the eminent Sahaabi, Hadhrat Abu Musaa Ash'ari (radiallahu anhu) in the following way:

"A weak and old man, named Abu Moosa Ashari, who was also secretly hostile to Hadhrat Ali be nominated as the arbitrator from this side [i.e. the side of Hadhrat Ali]."

"...these arbitrators [i.e. Abu Musaa Ash'ari and Amr Bin A's] sold the cause of Islam along with their souls to the Devil."

"Abu Moosa-e-Asharee, was a man with weak faith, more inclined to look after his worldly interest than the cause of religion."

But, Rasulallah (sallallahu alayhi wasallam) spoke in glowing terms of even the members of Abu Musaa Ash'ari's tribe, leave alone the great Sahaabi known as Abu Musaa Ash'ari. Said Nabi-e-Kareem (sallallahu alayhi wasallam):

"They (i.e. the tribe members of Abu Musaa Ash'ari) are of me and I am of them."

(Bukhaari)

SHI'ISM?

midst supporting Khomeini endeavour to portray. The main difference between Sunni Muslims and Shiah is not the fact that Shiah believe in the legality of zinaa (fornication) in the form which they call *muta*. The differences between the Sunni Muslims and the Shiah are vital issues pertaining to Imaan and Kufr. Differences in details exist in great number among all members of the Ahl-e-Haqq, but such differences in masaa-il do not relegate one beyond the pale of the Ahle Sunnah Wal Jama'ah. Hence, inspite of the numerous differences among the Hanafi, Shaafi, Maaliki and Hanbali Mathahib, it is a unanimous fact that all these Schools of Thought are on the Haqq and comprise the Ahle Sunnah Wal Jama'ah. But, not so with Shi'ism. The Shiah sect is a sect of baatil and its religion is based on hatred for Rasulullah (sallallahu alayhi wasallam). However, on the basis of their principle known as *Taqiyah*, they do not overtly propagate their hatred for Nabi-e-Kareem (sallallahu alayhi wasallam), but practise it covertly by directing all their hidden venom and vituperation against the beloved Sahaabah of Rasulullah (sallallahu alayhi wasallam). In this way they betray and manifest their true hatred for Nabi-e-Kareem (sallallahu alayhi wasallam). In their tactic of making the Sahaabah the target for their hatred which in reality is meant for Nabi-e-Kareem (sallallahu alayhi wasallam), the Shiah come within the ambit of the following declaration of Rasulullah (sallallahu alayhi wasallam):

"Beware of Allah! Beware of Allah! Do not make my Sahaabah after me a target [for your criticism]. For those who love the Sahaabah, love them because of my love and those who hate them, hate them because they hate me."

There are many repugnant beliefs of kufr and baatil among the various sects of Shi'ism. However, all of them have one belief in common, viz., they justify criticism, abuse, insult and slandering the Sahaabah. Among the Sahaabah, the hatred, venom and vituperation of the Shiah are in the main directed to Hadhrat Abu Bakr, Hadhrat Umar, Hadhrat Uthmaan, Hadhrat Muawiyah, Hadhrat Zubair, Hadhrat Talhah, Hadhrat Aishah and Hadhrat Abu Hurairah (radiallahu anhum). Besides these illustrious names, Shi' hatred and abuse are directed against all the Sahaabah of Nabi-e-Kareem (sallallahu alayhi wasallam). Only a handful of Sahaabah has been exempted by the Shiah from their abuse and slander. Insha'Allah, in future issues of *The Majlis*, we will deal in greater detail with the notorious beliefs and teachings of Shi'ism. In this issue we will restrict ourselves to merely introduce the Shiah sect and its evil machinations. Suffice here to observe that those who revile the great Sahaabah whom Rasulullah (sallallahu alayhi wasallam) so much loved and about whom Allah Ta'ala so much speaks in praise in the Qur'aan Shareef, can never be our brethren. They who are the enemies of the Sahaabah are our enemies. Those who are the enemies of the Sahaabah are the enemies of Rasulullah (sallallahu alayhi wasallam). Islam has no truck with such miscreants of Imaan.

IRRECONCILEABLE WITH SUNNAH

Muhammad Baqir Sadr, a leading Shi'i theologian states: "The Shiah believed that Ali should have ruled instead of these three Caliphs, and should have assumed the Caliphate immediately after the Prophet (S)."

According to Shi'i belief the Sahaabah in general and Hadhrat Abu Bakr and Hadhrat Umar (radiallahu anhum) in particular, defied Rasulullah (sallallahu alayhi wasallam) rejected his appointment of Hadhrat Ali (radiallahu anhu) as the Khalifah after him (sallallahu alayhi wasallam). Hence, the Shiah revile, abuse and slander these great Companions of Nabi-e-Kareem (sallallahu alayhi wasallam) on the basis of the fallacy concocted by the murderers of Ameerul Mu'mineen Sayyiduna Uthmaan (radiallahu anhu). The actual founders of the Shiah sect were the murderers of Hadhrat Uthman (radiallahu anhu)

BLASPHEMOUS DOCTRINE

Khomeini of Iran states:

"It is one of the essential beliefs of our Shi'i school that no one can attain the spiritual status of the Imaam, not even the cherubim or the prophets."

(Writings and Declarations of Khomeini)

According to the belief of the Shiah, their Imaams are superior to even the Ambiyaa (alayhimus salaam) as is evident from the above-quoted statement of Khomeini. This is a clear belief of *kufr*. According to Islam a non-Nabi can never attain the rank of a Nabi, leave alone be superior to a Nabi. Ambiyaa are those men who were appointed directly by Allah Ta'ala to deliver His Message and Law to creation. Ambiyaa are repositories of *Wahi* (direct revelation from Allah Ta'ala) and they hold the highest rank in creation.

DO YOU KNOW THIS EXPLOSIVE Shi'i KUFR

Mutahhiri, a leading cleric of the Shiah religion, says:

"Now that we see Ali, and Ammaar, Uways al-Qarani and others face to face with Aishah and az-Zubayr and Talhah, we do not feel any hesitation, for we see the second group as people with the look of criminals, that is, the effects of evil and treachery are evident on their faces; and when we look at their faces and their treacherous characters we guess that they are people of the Fire."

(TEHRAN TIMES, 25th August, 1982)

From the above vile remarks made by one of Khomeini's leading Shi'i theologians, it will be evident that the Shiah religion describes Hadhrat Aishah Siddiqah (radiallahu anha), the beloved wife of Rasulullah (sallallahu alayhi wasallam) as a criminal, evil, treacherous and among the people of Jahannum--Nauthubillaah! But, Rasulullah (sallallahu alayhi wasallam) warned:

"Do not hurt me regarding Aishah."

(Bukhaari and Muslim)

"The superiority of Aishah over women is like the superiority of thareed [a kind of food] over all food."

(Muslim)

"O Aishah! Jibraeel recites Salaam upon you."

(Muslim)

In the Shiah religion, Hadhrat Zubair (radiallahu anu) is described as a criminal, evil, treacherous and among the people of Jahannum--Nauthubillaah! But, Rasulullah (sallallahu alayhi wasallam) said about Zubair:

"Every Nabi had a hawaari [helper], and my Hawaari is Zubair."

"Zubair will be in Jannat."

(Tirmizi)

Hadhrat Zubair and Hadhrat Talhah whom the Shiah claim are among the "people of the Fire", are in fact members of the Ashrah Mubash-sharah who are the ten Sahaabah unto whom Rasulullah (sallallahu alayhi wasallam) delivered the glad tidings of Jannat. These Sahaabah already were informed by Nab i-e-Kareem (saallallahu alayhi wasallam) that their place in Jannat has already been secured, but Khomeini and his Shiah believe that these noble men are among the people of the Fire.

The Shiah believe that Hadhrat Talhah (radiallahu anhu) is evil, treacherous, a criminal and among the people of the Fire, but Rasulullah (sallallahu alayhi wasallam) said:

"Talhah and Zubair will be my two neighbours in Jannat."

(Tirmizi)

ENEMIES OF RASULULLAH AND THE SAHABA

Khomeini, slandering the eminent Sahaabi, Hadhrat Samura Bin Jundub (radiallahu anhu), says:

"Dissemination of the ordinances of Islam, as well as the teaching and instruction of the people, is the duty of the fuqaha who are just. For if they are not just, they will be like those who forged traditions harmful to Islam, like Samura ibn Jandab, who forged traditions hostile to the Commander of the Faithful."

A PERILOUS COMMENT

About the Sahaabah in general, Murtaza Mutahhiri, the cleric of the Shia religion, says:

"...the fundamentals of Islam were violated at the hands of these very people who had served Islam for a long time..."

So, according to Shi'ism, Hadhrat Abu Bakr, Umar, Uthmaan and the vast majority of Sahaabah who had served Islam, in the end turned their backs on Islam and violated the fundamentals of Islam. If those great and illustrious Sons of Imaan and Islaam did so, do we expect Khomeini and the Shiah who sprang from the murder of Ameerul Mu'mineen Hadhrat Uthmaan (radiallahu anhu) to uphold the fundamentals of Islam? The villainy of Hadhrat Uthmaan's murderers permeates and sustains the entire Shi'i movement, hence Mutahhiri could be so callous to make the above-quoted observation in denigration of the beloved Sahaabah of Rasulullah (sallallahu alayhi wasallam). The above statement appeared in Tehran Times of 25th August, 1982.

THE ENEMIES OF SUNNAH ARE MAL-00N (Accursed)

FLAGRANT VIOLATION OF

THE ATTITUDE OF RASULULLAH
(Sallallaahu Alayhi Wasallam)

TOWARDS THE SAHABA

Khomeini and all Shiah accuse Hadhrat Abu Bakr (radiallahu anhu) of fabricating ahadith. Commenting on a particular hadith, Khomeini says:

"In certain cases, the phrase: 'What we leave behind is charity,' has been added to the tradition, but it does not truly belong there. Found only in Sunni versions of the tradition, it has been added for political reasons."

(Writings and Declarations of Khomeini)

In this allegation the accusation is directed against Ameerul Mu'mineen Sayyiduna Abu Bakr (radiallahu anhu). Khomeini accuses Hadhrat Abu Bakr- Nauthubillaah!- of defrauding Hadhrat Faatimah (radiallahu anha) of certain properties which the Shiah claim she inherited from Rasulullah (sallallahu alayhi wasallam). According to Shi'i belief, Hadhrat Abu Bakr, Hadhrat Umar and other Sahaabah fabricated certain ahadith in order to achieve the aim of usurping the inheritance of Hadhrat Faatimah (radiallahu anha). In an annotation to this allegation of Khomeini, the compiler of Khomeini's writings, Hamid Algar, says:

"After the death of the Prophet, his daughter Fatima asked for the arable lands near Fadak [a small town near Medina] to be assigned to her as a legacy from her father, since in his lifetime the Prophet had used the produce of the land for the upkeep of his wives. Abu Bakr refused, citing the words of the Prophet: 'We prophets bequeath no legacies; what we leave behind is charity [sadaqa].' For Shi'i tradition, Fadak became a symbol of unjust denial."

(Islam and Revolution)

REFUTATION OF THE ABOVE ACCUSATION OF THE SHIAHS

(1) The Ummah of Isl am--right from the earliest time--knows who Ameerul Mu'mineen Sayyiduna Abu Bakr (radiallahu anhu) was. There is not the slightest ambiguity regarding any aspect of the personality of this greatest of all Sahaabah. His rank and superiority are conclusively established by categoric pronouncements of the Shariah. His superiority outshines the combined rank and excellences of the entire Ummah, beginning from the age of the Sahaabah and ending with the advent of Qiyaamah. Hadhrat Abu Bakr's rank barring the Ambiyaa (alayhimus salaam), is next only to Rasulullah (sallallahu alayhi wasallam).

(2) The ahadith in which is related that Rasulullah (sallallahu alayhi wasallam) said that he does not leave behind wealth to be inherited, are narrated by many eminent Sahaabah and not only by Hadhrat Abu Bakr (radiallahu anhu). Even if the hadith was narrated by only Hadhrat Abu Bakr Siddique (radiallahu anhu), the authenticity and authority of the hadith would have been a conclusive and an established Shar'i fact since Rasulullah (sallallahu alayhi wasallam), himself placed the seal of *truthfulness* and superiority on Hadhrat Abu Bakr. His title, viz., *Siddique*, his rank as the highest and greatest Sahaabi and his position as the one next to Rasulullah (sallallahu alayhi wasallam) do not admit the slightest possibility of fabrication in his utterances. Those who possess the barbarous audacity of accusing this illustrious Companion of Nabi-e-Kareem (sallallahu alayhi wasallam) of falsehood and fabricating ahadith are indeed accusing Rasulullah (sallallahu alayhi wasallam) of falsehood.

Among the eminent Sahaabah who narrated the hadith in question are Abu Bakr, Umar, Uthmaan, Ali, Abbaas, Aishah, Abu Hurairah, Amr Bin A's, Talhah, Zubair, Abdur Rahman Bin Auf and Anas.

(3) The Hadith which Khomeini and the Shiah allege is a fabrication of Hadhrat Abu Bakr (radiallahu anhu) is recorded in the highest and most authentic books of Hadith. We thus find this hadith in Bukhaari, Muslim, Abu Dawood, Tirmizi, Nisaai and others.

(4) In the fourteen hundred years of Islamic history not a single authority of the Deen rejected this hadith in which Nabi-e-Kareem (sallallahu alayhi wasallam) unambiguously stated that the Ambiyaa (alayhimus salaam) do not leave wealth to be inherited by their families. But the Shiah make the satanic accusation that the greatest of all Sahaabah, Ameerul Mu'mineen Hadhrat Abu Bakr (radiallahu anhu) --Nauthubillaah!--fabricated the hadith in order to defraud Hadhrat Faatimah (radiallahu anha). May Allah Ta'ala save us all from uttering or harbouring such vile calumny and slander about such a lofty Star of Islam.

DO YOU KNOW?

WHO ARE THE SHIAH ?

THE VICES OF THEIR HEARTS

Khomeini says:
“A certain person asked the Caliph [Abu Bakr] a point of law and he was unable to answer; he was therefore unfit for the position of a leader and successor to the Prophet. Or again, a certain act be performed was contrary to the laws of Islam; hence he was unworthy of his high post.”
(Writings and Declarations of Khomeini)

In an annotation on this statement, Hamid Algar, the compiler of Khomeini’s writings and speeches, says:
“The reference here is to certain shortcomings Shias have traditionally perceived in the exercise of rule by Abu Bakr.”

The Shi’i theologian, Tabatabai, accusing Hadhrat Abu Bakr (radiallahu anhu) of having greater concern for Zakaat than the institution of Khilaafat, says:
“Surely the problem of the legitimate caliphate was more important and significant than tithes [Zakaat], and Shi’ism believes that the same principle applied by the first caliph to this matter should have been applied by the whole early community to the problem of succession to the Holy Prophet.”

This reflects the Shi’i belief that Hadhrat Abu Bakr and Hadhrat Umar along with the general body of Sahaabah usurped the Khilaafat which according to the religion of the Shias was the inherent and divine right of Hadhrat Ali (radiallahu anhu). Here the Shi’i priest, Tabatabai accuses Hadhrat Abu Bakr of having denied Hadhrat Ali his legitimate rights. He further alleges that Hadhrat Abu Bakr and the Sahaabah (radiallahu anhum) accorded no concern to the question of the appointment of the Khalifah and that they violated the Shariah in installing Hadhrat Abu Bakr (radiallahu anhu) as the first Khalifah of Rasulullah (sallallahu alayhhi wasallam). The Shi’i belief in regard to the Khilaafat after Rasulullah (sallallahu alayhi wasallam) is that the Sahaabah failed in applying the principle of ‘truth and justice’ because they accepted Hadhrat Abu Bakr (radiallahu anhu) as the Khalifah of Rasulullah (sallallahu alayhi wasallam).

Hadhrat Ali (radiallahu anhu) said:
“The best of the Ummah after its Nabi are Abu Bakr and Umar.”
(Bukhaari)

This statement of Hadhrat Ali (radiallahu anhu) has been narrated by eighty persons.

Ibn Umar [radiallahu anhu] said that during the lifetime of Rasulullah [sallallahu alayhi wasaallam] we used to say: “The noblest of the Ummah of Nabi (sallallahu alayh wasallam) after the Nabi is Abu Bakr, then Umar and then Uthmaan.” BUKHAARI

EXCELLENCE OF

Muáwiyah

Among the greatest excellences of Ameerul Mu’mineen Hadhrat Ameer Muaawiyah (radiallahu anhu) is the fact that he was among Rasulullah’s (sallallahu alayhi wasallam) scribes who wrote the Wahi of the Qur’aan under the instructions of Nabi-e-Kareem (sallallahu alayhi wasallam). This unique position of trust assigned to him by Rasulullah (sallallahu alayhi wasallam) is sufficient to refute the crude and vulgar Shi’i slander and abuse directed against the person of this great and illustrious Sahaabi.

Another fact which bears out his close position to Rasulullah (sallallahu alayhi wasallam) and his lofty rank among the Sahaabah is his appointment as Commander of the Muslim army by Rasulullah (sallallahu alayhi wasallam). Stressing the lofty rank of Ameerul Mu’mineen Hadhrat Muaawiyah (radiallahu anhu), Shaikh Waliullah Muhaddith Dehlawi (rahmatullah alayh) says in Izaalatul Khifaa:

“Know that Muaawiyah Bin Sufyaan [radiallahu anhu] was a Sahaabi of Rasulullah [sallallahu alayyhi wasallam]. In the general group of the Sahaabah, he held a distinguished position and rank. He is a Sahaabi of outstanding virtue and excellence. Beware! Never revile him. Never commit the haraam act of abusing him.”

Bearing testimony to the rank of Hadhrat Muaawiyah (radiallahu anhu), Hadhrat Ali (radiallahu anhu) says:
“O people! Do not revile the reign of Muaawiyah. I swear by Allah! When he lives no longer, anarchy will spread wildly on earth.”
(Izaalatul Khifaa)

The Shiahs accuse the noble Khalifah Umar (radiallahu anhu) of defying Rasulullah (sallallahu alayhi wasallam), of forming opinions in contradiction with the Qur’aan and of giving preference to personal interests above Deeni requirements. This is the belief of those who erected the edifice of their religion on the murder of Hadhrat Uthmaan (radiallahu anhu), viz., the Shiahs. But, about Sayyiduna Umar (radiallahu anhu), Rasulullah (sallallahu alayhi wasallam) said:
“Verily, among nations before you were people who were inspired (by Allah Ta’ala). If there is any such inspired person in my Ummah, it is Umar.”
(Bukhaari and Muslim)

This Hadith does not mean that among the Sahaabah only Hadhrat Umar (radiallahu anhu) was inspired by Allah. In Arabic usage, this type of expression conveys the presence of the stated attribute to a high degree of perfection. Rasulullah (sallallahu alayhi wasallam) in this statement, emphasises the high degree of Hadhrat Umar’s inspired knowledge and insight into matters of the Deen.

Rasulullah (sallallahu alayhi wasallam) said:
“I take oath by The One in Whose possession is my life! Whenever shaitaan finds you (Umar!) walking along a path, he takes to another path.”
(Bukhaari and Muslim)

“Verily, Allah has manifested Haqq on the tongue of Umar and in his heart.”
“If there had to be a Nabi after me, it would have been Umar Ibnul Khatthaab.”
“Verily, I see the shayaaateen among jinn and man fleeing from Umar...”
(Tirmizi)

“O Allah! Aid Islam with Umar.”

Hadhrat Umar (radiallahu anhu) said:
“Our Sayyid and the best of us and the most beloved of Rasulullah [sallallahu alayhi wasallam] is Abu Bakr.”
(Tirmizi)

Abdullah Bin Hautab (radiallahu anhu) narrates that Rasulullah (sallallahu alayhi wasallam) once upon seeing Hadhrat Abu Bakr and Hadhrat Umar, exclaimed:
“These two are the hearing and the sight [of the Ummah of Islam].”
(Tirmizi)

THEIR ATTACK

on Abu Hurairah

The name of Hadhrat Abu Hurairah (radiallahu anhu) is familiar to most Muslims. About this eminent Sahaabi and narrator of Rasulullah’s (sallallahu alayhi wasallam) ahadith, Khomeini of Iran says:
“God knows what misfortunes Islam has suffered from its inception down to the present at the hands of these evil ‘ulama’. Abu Hurairah was one of the fuqaha, but God knows what judgments he falsified for Muaawiyah and others like him, and what damage he inflicted upon Islam.” But when a faqih like Abu Hurairah or a judge like Shurayh joins such a government, he improves its standing while besmirching the reputation of Islam.”

Commenting on this statement of Khomeini, Hamid Algar the compiler of Khomeini’s writings and declarations, states:
“Shi’i scholars have regarded him as unreliable and even dishonest.”

But, Rasulullah (sallallahu alayhi wasallam) made special dua for Abu Hurairah in respect of narration of ahadith, hence we observe the ahadith in abundance narrated by him. The following statement bears out the love which Rasulullah (sallallahu alayhi wasallam) had for Hadhrat Abu Hurairah (radiallahu anhu):
“O Allah! Endear this, your servant (Abu Hurairah) and his mother to your believing servants and endear the believers to them.”
(Muslim)

Thus those who are Believers love Abu Hurairah (radiallahu anhu). Those who are unbelievers detest Hadhrat Abu Hurairah (radiallahu anhu).

Murder, falsehood and trickery are the tools of Shi’ism. Shiahs do not hesitate in the employment of these evils in the pursuit and attainment of their motives and designs. Forging proof for their religion, the Shiahs attribute the following lies to Hadhrat Ali (radiallahu anhu) in regard to Hadhrat Abu Bakr (radiallahu anhu), the first Khalifah of Rasulullah (sallallahu alayhi wasallam):

“At last the first Caliph died, but while going he appointed another to fill this vacancy. It is not astonishing that during his lifetime he was always badly in need of the help of others to compensate for his imperfections and defects and to cover his faults and failures, but at the time of his death he thought himself to be wise and learned enough to fix and appoint somebody to carry on the duties at which he was a complete failure himself.

Boldly and unscrupulously he and his successor [a reference to Hadhrat Umar], each in turn, pillaged and plundered the wealth of the community leaving the state in such sadly injured condition that the passage of time was increasing the intensity of the injury.But it was carried on under the guise of law and order and many unacceptable excuses were offered to justify these irreligious and ungodly arrogations and many more will be repeated in the future.

Consequently the third [i.e. Hadhrat Uthmaan] proudly took charge the caliphate, as if it was a private grazing ground, and with bloated stomachs he and members of his clan [Bani Umayya] started plundering the wealth of the Muslim world in the same reckless gluttonous manner which characterizes a camel when it devours harvest grass. However, this man met an untimely death. The greed of his clan was the cause of his undoing.”
(Nahjul Balaaghah)

A SHI’I LIE

of Immorality

Another lie which the Shiahs attribute to Hadhrat Ali (radiallahu anhu) is the following statement:

“You know very well that Omer-ibn-Aas himself is an inveterate liar, he usually lies, he makes promises without intention of fulfilling them....He habitually breaks his pledges, never keeps a promise and is unkind and unmerciful. In the battlefield before the swords are drawn and fight begins, he is usually very bold in giving orders and very conspicuous in pretension of leading the army; but when the fight actually begins, his greatest tactic is to show his opponents his naked buttocks.”
(Nahjul Balaaghah)

Ameerul Mu’mineen Hadhrat Ali (radiallahu anhu) never uttered such falsehood, slander, abuse, insult and vulgarity. Such abuse and vituperation are the stock weapons of Shi’ism. Hadhrat Ali (radiallahu anhu) had the utmost respect and honour for Hadhrat Abu Bakr, Hadhrat Umar and Hadhrat Uthmaan (radiallahu anhum). In fact, Hadhrat Ali (radiallahu anhu) took the oath of allegiance (ba’yt) on the hands of the first three Khulafa Raashideen. Furthermore, Hadhrat Ali (radiallahu anhu) could never have spoken so disparagingly of the great Conqueror of Islam, viz., Hadhrat Amr Ibnul A’s (radiallahu anhu) who was among the top-ranking Companions of Nabi-e-Kareem (sallallahu alayhi wasallam). The vile methods of falsehood employed by the Shi’i clerics amply demonstrate the baatil of this devious sect which has great affinity with the Khwaarji sect.

BID’AH -
IBLEES SPEAKS

It has been narrated that Iblees said:
“I have broken the back of Bani Adam by means of sin and they have broken my back by means of Istighfaar and Taubah. I have, therefore, introduced for them a sin for which they will not seek forgiveness. And, that sin is BID’AH.
(Mjaalisul Abraar)



TASAWWUF

By HADHRAT MASEEHUL UMMAT,
MAULANA MUHAMMED MASEEHUL KHAN SHERWANI



THE NATURE OF TASAWWUF

The department of the Shariat relating to a'male batini (esoteric acts or states of the heart) is called Tasawwuf and Suluk; and, the department of the Shariat relating to a'male zahiri (exoteric acts or physical acts) is called Fiqh. The subject matter dealt with by Tasawwuf is *tahtheebe akhlaq* or the adornment of character while the motive of this branch of the Shariat is the attainment of Divine Pleasure. The method of acquisition of this Divine Pleasure is total obedience to the commands of the Shariat.

Tasawwuf in fact is the ruh (soul) and state of perfection of the Deen. Its function is to purify the batin (the heart) of man from the lowly bestial attributes of lust, calamities of the tongue, anger, malice, jealousy, love of the world, love for fame, niggardliness, greed, ostentation, vanity, deception, etc. At the same time it (Tasawwuf) aims at the adornment of the heart with the lofty attributes of repentance, preserverance, gratefulness, fear of Allah, hope, abstention, tauheed, trust, love sincerity, truth, meditation, reckoning, contemplation, etc. In this way, attention towards Allah Ta'ala is inculcated in man. This is in fact the purpose of life. Tasawwuf or Tareeqat is therefore not at all negatory of the Deen and Shariat. On the contrary it is incumbent for every Muslim to become a Sufi (one who follows the path of Tasawwuf). Minus Tasawwuf, a Muslim cannot truly be described as a perfect Muslim.

THE NEED FOR TASAWWUF

Now that it is clear that Tasawwuf is not contrary to the Deen, but is in fact a branch of the Shariat, its need is evident. Hadhrat Hakeemul Ummat (Rahmatullah Alayh) states in the introduction of Haqeeqatut Tareeqat:

"After rectification of beliefs and external acts it is fardh (compulsory) upon every Muslim to rectify his esoteric acts. Numerous Qur'anic ayat and innumerable ahadith narrations explicitly indicate the *fardhiyat* (compulsion) of this. However, most people of superficial understanding are neglectful of these because of their subservience to lowly desires. Who is not aware that the Qur'an and the Ahadith are explicit regarding the significance of zuhd, qana'at, tawadhu', ikhlas, sabr, shukr, hubbe ilahi, ridhail qadha, tawakkul, tasleem, etc., while at the same time they emphasise the acquisition of these noble attributes? And, who is not aware that the Qur'an and Ahadith condemn the opposites of these noble qualities, viz., hubbe dunya, hirs, takabbur, riya, shahwat, ghadab, hasad, etc., and has warned against them? What doubt is there in the fact that the noble qualities have been commanded and the bestial traits have been prohibited? This is the actual meaning of reforming the esoteric acts. This is the primary purpose of Tareeqat. It being fardh is undoubtedly an established fact."

In Tareequl Qalandar, he says:

"All the authentic principles of Tasawwuf are to be found in the Qur'an and Ahadith. The notion that Tasawwuf is not in the Qur'an is erroneous. Errant sufis as well as the superficial Ulama (Ulama-e-Khushq) entertain this notion. Both groups have misunderstood the Qur'an and Ahadith. The Ulama-e-Khushq claim that Tasawwuf is baseless since they believe that the Qur'an and Ahadith are devoid of it while the errant and transgressing (ghali) sufis assert that in the Qur'an and Hadith are only the exoteric (zahiri) laws. Tasawwuf they say, is the knowledge of the batin (esotericism). According to them - Na uthu billah - there is no need for the Qur'an and the Hadith. In short, both groups consider the Qur'an and Hadith to be devoid of Tasawwuf. Thus in conformity with their opinion, one group has shunned Tasawwuf and the other group has shunned the Qur'an and Hadith."

THE TECHNICAL TERMS OF SHARIAT AND TAREEQAT

The fountain of all Islamic teaching is the Qur'an and the Sunnat. The inception of this teaching was in the *Majlis* (gathering) of Nabi . It was the initial stage of Islam which was present in its headquarters. It had a confined number of adherents, hence all branches of Islamic instruction - Tafseer, Hadith, Fiqh and Tasawwuf - were imparted at one venue, the Madressah of Nabi . Separate departments did not exist. However, in this Madrasah of Nabi there was a permanent group of lovers of Allah and devotees of Rasulullah who were at all times engaged in the purification of the nafs, and the reformation of the batin by means of practical education. This group is called Ashab-e-Suffah. later when Islam acquired an universal status, the Ulama of the Deen formulated the teachings of Islam into separate departments. Those who rendered service to the Knowledge of Hadith are called the Muhadditheen; those who undertook the responsibility of Tafseer are called the Mufasssireen; those who specialized in Fiqh are called the Fuqaha while those who took custody of the department of Islah Batin (purification of the nafs) became known as the Masha-ikh Sufiya. Hence, not a single one among the great authorities of former times ever divorced the Shariat from Tareeqat. On the contrary they also held Tareeqat in subservience to the Shariat.

* Delay in all (wordly) things besides deeds of the Hereafter is best. (Rasulullah - sallallaahu alayhi wasallam)

* Haste (in worldly and material affairs) is an act from shaitaan. (Rasulullah - sallallaahu alayhi wasallam)

TASAWWUF AND THE QUR'AN

Both external (zahiri) and internal (batini) acts and duties are commanded in the Qur'an. Thus the Qur'an while commanding Salaat and Zakaat:

"O People of Iman! Establish Salaat and give Zakaat", also commands shukr (gratefulness):

"And be grateful unto Allah".

At one place is to be found:

"Fasting has been decreed upon you." and

"Upon mankind is the Hajj of the Bait for Allah.", while at another place is to be found:

"He (Allah) loves them (Mu'mineen) and they love Him.", and:

"Those who have adopted Iman are most ardent in the love of Allah."

Similarly, along with:

"When they stand for Salaat, they stand half-heartedly", is to be found:

"They show people (i.e. they perform Salaat in riya)."

The Qur'an, like it reprimands and condemns the defaulter of Salat and Zakat, also states the evil of pride and vanity (takabbur and ujub).

The same applies to the Ahadith. Like the chapters of Salat, Saum, Ba'y (trade and commerce), Nikah (marriage), Talaq (divorce) are to be found, so too do the chapters of riya takabbur, etc. exist. No Muslim can refute the fact that like the a'male zahirah are Divine Commands so too are the a'male batinah. "(Establish Salaat and pay Zakat)" are positive commands just as (Adopt sabr and shukr)" are positive commands. Like the ayat: "Fasting has been decreed upon you", establishes the Shar'i nature of Fasting, the ayat: "Those who have Iman are the most ardent in the love of Allah", establishes the Shar'i nature of Love for Allah. On closer examination and reflection it will be realized that all the a'male zahirah are designed for the reformation of the a'male batinah. The purification of the batin (the heart and soul of man) is the aim and the basis of najat (salvation in the Akhirat) while the despoiling of the batin is the cause of destruction.

Allah Ta'ala declares:

"Verily, he who has purified the nafs has attained victory, and he who has despoiled it has lost."

"That Day (of Qiyamat) neither wealth nor sons will benefit (anyone), but that person who comes to Allah with a reformed heart."

The first ayat asserts victory as being the consequence of the purification of the batin while the second ayat negates the utility of wealth and sons in the absence of a reformed heart. wealth and sons in the absence of a reformed heart. Iman and Aqa-id (Articles of Faith) on which pivots the acceptance of all a'mal (actions), are conditions of the heart (i.e. the batin). It is manifest that a'mal are designed for the perfection of Iman. It is therefore clear that the original purpose is the reformation (islah) of the heart by virtue of which man is ushered into the Divine Court of Acceptance and attains the lofty spiritual ranks. This is precisely what is known technically as Tasawwuf.

SHARIAT, TAREEQAT, HAQEEQAT AND MA'RIFAT.

The whole combination of the teachings imposed by Islam is known as the Shariat. Both sets of acts, viz., A'male Zahiri and A'male Batini, are included. In the terminology of the Mutaqaddimeen (the early authorities of the Shariat) the term Fiqh was synonymous with the word Shariat. Thus Imam A'zam Abu Hanifah (Rahmatullah Alayh) defined Fiqh as follows:

"The recognition of that which is beneficial and harmful to the nafs."

Later, in the terminology of the Muta-akh-khireen (the later authorities of the Shariat) the word Fiqh was used for that branch of Islam which related to A'male Zahiri while the branch which dealt with A'male Batini became known as Tasawwuf. The ways or methods of acquiring the A'male Batini are called Tareeqat.

The reformation of the A'male Batin brings about spiritual lustre and glitter of the heart to which is revealed, in consequence, certain realities (haqa-iq-e-kauniyah) pertaining to tangible and intangible occurrences especially virtue and vice; as well as certain realities (Haqa-iq-e-ilahiyyah) pertaining to Divine Attributes and Acts especially related to affairs between Allah and servants. These revelations (makshufat) are known as Haqeeqat. The process of these revelations (i.e. inkishaf) is called Ma'rifat while the Saint of Inkishaf is known as a Muhaqqiq and Arif.

All the aforementioned relates to the Shariat. The notion that the Shariat and Tareeqat are entities apart - this notion has gained prominence in the public - is totally false and baseless. Now that the nature and reality of Tasawwuf and Suluk have become clear, it will be understood that:

- ★ Kashf (inspiration and revelation) and karamat (miracles) are not necessary.
- ★ It does not promise success in the worldly affairs.
- ★ It does not assert that one's work will be achieved by means of ta'weez and potions; nor does it claim that one will be successful in court cases by means of duaa.
- ★ It does not promise increase in one's earnings nor does it promise one cure from physical ailments.
- ★ It does not foretell future events.
- ★ It does not contend that the disciple's (mureed) reformation will be achieved by the spiritual focussing of the Shaikh. Extra-normal operation is not necessary to Tasawwuf.
- ★ It does not contend that the one who trods this Path will not be afflicted by even the thought of sin nor does it claim that the mureed will automatically (without effort) engage in Ibadat.
- ★ It does not promise total self-annihilation so that one is not aware even of one's presence.'
- ★ It does not promise the experiencing of states of ecstasy and spiritual effulgence in Thikr and Shaghl (spiritual exercise) nor does it claim that one will see beautiful dreams and wonderful visions.

All these are not the aims of Tasawwuf. The purpose is the Pleasure of Allah Ta'ala. This then, should be kept in sight.

THE STARTING POINT

The first step of the mureed (disciple) in this path (Tasawwuf) is Sidq, i.e. sincerity. On the correct foundation will be erected a correct building. The Mashaa-ikh (Spiritual Guides) say that because of destruction of the usul (the foundations) people are deprived of the wealth of wusul (obtainal of the desired goal). Hence, the beginning is waajib with rectification of aqaa-id (beliefs). Belief should be devoid of all vestiges of suspicion, doubt, deviation, bid'ah and be well grounded in the absolute proofs of the Shariat.

(HADHRAT HAKIMUL UMMAT)

Fasting Person - A Wali

During fasting one abstains from food, drink and sex. This abstention is contrary to normal practice. The definition of "karaamat" or miracle is that which is contrary to or above normal practice. "Karaamat" is manifested at the hands of a Wali. The fasting person is therefore a Wali in that his practice of abstention is contrary to normal practice. The duaa of a Wali is maqbul (readily accepted). Therefore, the duaa of a fasting person is maqbul. Hence, at the time of iftaar (when ending the fast) dua should be specially made since it is the time of the termination of the fast.

(Hadhrat Masihullah Khan)

STATEMENTS OF THE SUFIYA

In this regard Bayazid Bistami Rahmatullah Alayh says:

"Do not be deceived if you see a performer of supernatural feats flying in the air. Measure him on the Standard of the Shariat - how he adheres to the limits of the Commands of the Shariat."

Hadhrat Junaid Rahmatullah Alayh says:

"All avenues besides the strict following of Rasulullah are closed to mankind."

Hadhrat Nuri Rahmatullah Alayh says:

"Do not venture near to one who lays claim to a condition which brings about transgression of the limits of the Shariat."

Hadhrat Khwajah Naseeruddin Chiraghe Dehlawi (Rahmatullah Alayh) says:

"Obedience to Rasulullah is imperative. Such obedience is essential in word, act and intention because Love for Allah Ta'ala is not possible without obedience to Hadhrat Muhammad Mustafa

Khwajah Mueenuddin Chisti Rahmatullah Alayh says:

"He who adheres to the Shariat, executing its commands and refrains from transgression, progresses in spiritual rank, i.e. all progress is dependant on adherence to the Shariat."

Hadhrat Hakimul Ummat (Rahmatullah Alayh) says: in Ta'limuddin: Whoever acquires the wealth of Wusul (Attainment having attained the Love of Allah) has acquired it by virtue of following the Sunnat."

* Rasulullah (sallallaahu alayhi wasallam) said: 'The noblest of deeds is love for the sake of Allah Ta'ala and hatred for the sake of Allah Ta'ala.'

Concern for Haqq

Once, in a gathering of Muhājireen and Ansār, Hadhrat Umar queried: *"If I grant concessions (i.e. govern with laxity) in some affairs (of the Deen), what will be your reaction?"*

Everyone maintained silence. Thrice, Hadhrat Umar (radiallāhu anhu) repeated his question. Thereupon Bishr Bin Sa'd (radiallāhu anhu) said: *"If you ever do so, we shall straighten you like an arrow (i.e. we shall not tolerate any divergence from the Shariah and resolutely oppose you)."*

Hadhrat Umar (radiallāhu anhu) beamed in delight and approval: *"Indeed you are so, indeed you are so."*

* A powerful person is not one who overpowers (another in combat). Verily, a powerful person is one who controls himself at the time of anger.
(Rasulullah – sallallaahu alayhi wasallam)

Some Islamic Rules

- * It is not lawful to clothe little boys with such garments the wearing of which are not permissible for males. For example: Silk, velvet, bright feminine colours (pink, mauve, orange, etc.), gold and silver are Haraam for males, hence these will be unlawful for little boys as well. The sin of clothing children in an un-Islamic manner will devolve upon the parents or guardians.
- * It is not permissible for males to imitate females in their dress and vice versa. Rasulullah (sallallaahu alayhi wasallam) has cursed such imitators of the opposite sex. Thus, unisex garments of the present day are not allowed by the Shariah.
- * Although it is permissible for women to wear jewellery, it is best according to the Shariah that they wear a minimum of jewellery.
- * It is not permissible for either men or women to wear rings made of any metal besides gold and silver.
- * It is not permissible to eat out of gold and silver utensils.
- * It is not permissible to use a mirror made of silver.
- * It is Mustahab (meritorious) to remove the hairs from under arms and below the navel once a week. It is Haraam to leave these hairs for more than forty days.
- * It is not permissible to cut or remove any hairs or nails while in the state of janaabat.
- * If two persons are conversing in what seems to be a private talk then it is not lawful for another to intrude.
- * In a company of three persons it is not lawful for two to converse in a language which the third one does not understand.
- * Tattooing is not permissible in Islam.
- * Nails and hair removed from the body must be buried. It is not permissible to discard these as waste.

Some Trade Rules

ACCORDING TO THE SHARIAH . . .

- * The 'Auliya' (guardians, trustees or executors) of the affairs of minors are not entitled to sell the fixed property of such minors. Such a sale contracted on behalf of a minor is 'baatil' (null).
- * Goods which have been used, should be sold as "used" or "second-hand". The customer should be notified of this.
- * A customer does not forfeit the deposit placed on goods purchased by the layby system if such goods are not paid within a specified time.
- * It is not permissible to make an offer to purchase an article while negotiations are in progress between two parties. The third party may only make an offer once negotiations have been terminated.
- * It is not permissible to sell musical instruments, images, and pictures of animate objects.

UMAR'S WARNING

Hadhrat Umar (radiallahu anhu) warned the Ummat against the denigrators of the Hadith. He thus said: *"Soon will arise such people who will dispute with you citing the testimony of the Qurān. Arrest them (their disputations) with the Ahadith, for, verily, the Companions of the Sunnah are better versed with the Book of Allah (than the rejectors of Hadith)."*

UMAR – FATHER OF THE MATHAA-IB

The basis of the different mathaa-ib was established on the principles formulated by Hadhrat Umar Ibn Khattāb (radiallāhu anhu).
(Izālatul Khifā)

WOMEN AND QABRASTAAN

It is not appropriate for women to emerge (from their homes) to attend the Janaazah (funeral). This is stated in Al-Badaa-i', Murghinaani, and Isbeehaani (these are authoritative Islamic Law Kitaabs). This is the verdict of the overwhelming majority of Islamic Jurists.

During our times (i.e. the times after Rasulullah-sallallaahu alayhi wasallam) their emergence is prohibited because of the element of 'fasaad' (mischief and strife). It is stated in Kifaayatush Sha'bi that Qaadhi was questioned regarding the permissibility of women going to the graveyard. He (Qaadhi) replied:

"Do not ask about the permissibility and the 'fasaad' regarding this matter. Ask about the extent of 'la'nat' (curse) connected to this (emergence of women to go to the graveyard). And, know that each time she intends to emerge, she enters the 'la'nat' (curse) of Allah and the Angels. When she does emerge she is followed by the Shayateen from all sides. When she reaches the graveyard, the souls of the dead curse her, and when she returns (home) she remains in the curse of Allah." (Narrated in Taataar-khaaniyah)
(KABEERĪ – SHARHU MUNIYATIL MUSALLI)

'BUKHL' – NIGGARDLINESS

Rasulullah (sallallaahu alayhi wasallam) said:

"Each morning two angels descend and proclaim: O Allah! Grant a beautiful reward to the one who spends (wealth) righteously. And, the other angel says: O Allah! Grant destruction (misfortune and poverty) to the one who witholds spending (where it is necessary to spend)."

(Bukhari, Muslim)

"The generous person is close to Allah, close to Jannat, close to mankind, far from the fire. The miser is far from Allah, far from Jannat, far from mankind and close to the Fire. An ignorant generous man is more loved by Allah than a saint who is a miser."

(Tirmizi)

"Two traits do not unite in the (true and perfect) Believer, viz. stinginess and bad character."

(Tirmizi)

Generally proud people suffer from the malady of niggardliness, and stinginess. 'Bukhl' (stinginess) is to withhold spending where the need arises. The stingy person does not realise his responsibilities nor fulfils them. An evil trait of the 'bakheel' (miser) is his encouragement of niggardliness. By word and deed he exhorts others to practice niggardliness as well. In the miser, the baneful qualities of pride, narrow-mindedness and cowardice unite to make him a despicable creature.

The Quraan Shareef has denounced the miser in the severest of terms. Niggardliness is the opposite of generosity which is part of the Imaan of a true Believer. The Rahmat of Allah Ta'ala is far from those who practice miserliness. The Quraan Shareef states:

"Verily, Allah loves not those who are proud and rebellious. (The proud and rebellious) are those who are stingy and order mankind to be stingy. They conceal (withhold from spending) that (wealth) which Allah has given them out of His Munificence."

Cause Of Disobedience

The primary cause of disobedience to Allah Ta'ala is forgetfulness and negligence. Obedience unto Allah is latent in the remembrance of Him. Like Zikr by means of the tongue is remembrance of Him so is the subjection of one's entire life to the Shariah. The result of this will be the acquisition of Allah's Pleasure in the Hereafter as well as the obtainal in this transitory world of such spiritual sweetness and ecstasy which will render the kingdom of the earth dust in comparison.

-HADHRAT MAULANA MASIHULLAH KHAN-

- * Association of the pious is superior to good acts and association of the evil ones is worse than evil acts.
- * Abstain from the company of one who is of no spiritual benefit to you.
- * An ill-bred person is one who has no knowledge of the Path of Allah Ta'ala and then does not enquire about it.
(Hadhrat Maulana Mohammed Maseehullah Khan)

BONUS BONDS

AND THE SHARIAT

To understand the Shariat's verdict on Bonus Bonds it is firstly necessary to understand what the Bonus Bond Scheme is. The information brochure issued by the Bonus Bond department speaks about the "purchase" of bonus bonds. However, in terms of the Shariat no selling or purchasing occurs in the bonus bond scheme. It is not a sale contract. Nothing is purchased or sold. There are no buyers and sellers in the Islamic sense in the bonus bond scheme. What transpires is this:

The bonus bond units "purchased" represent the cash advanced to the government. Simply, these bonds are receipts or documentary proof of the money advanced to the government. These bonds are redeemable at any time after twelve months from date of "purchase", i.e. twelve months after having advanced the loan. The government agrees to repay. Repayment of the sum advanced is guaranteed by the government.

Therefore, according to the Shariat the money advanced to the government and for which the documentary proofs (the bonus bonds) were issued, is QARDH (loan).

In consideration of the loan given to it, the government offers the following benefits:

- (a) 5% per annum tax-free interest.
- (b) Prizes for prize-winning numbers.

Interest is ribā. There is no need to dwell on the prohibition of ribā as every Muslim is aware of the prohibition and the abomination of this sin. Now remains the question of the prize-money. In this regard, Rasulullah (sallallahu alayhi wasallam) said:

"Every qardh (loan) which earns benefit is ribaa."

(Sharh Sirājul Muneer)

Now the benefit of the prize is the direct consequence of giving a loan to the government. If it was not for the loan then no prize would have accrued. Since the prize is the effect of the loan advanced, it falls within the purview of the abovementioned decree of Rasulullah (sallallahu alayhi wasallam) and is thus harām. This prohibition is re-inforced by the following evidence of the Shariat.

"Every qardh (loan given) on which an excess is taken or by means of which a benefit is realised is harām."

(Lisānul Arab)

- (2) *"Ribā has been re-iterated in the Hadith. The basis of it is the excess over the capital, it (the excess) being realised without a sale transaction."*

(Nihāyah Ibn Atheer)

- (3) *"Ribā literally means excess. Allah Ta'ala says: 'He increases Sadaqāt (acts of charity) . . . ' Verily, Allah has made harām in qardh (loan) that excess which is above the amount given (in qardh)."*

(Tafseerul Mazhari)

(The above references have been extracted from Hadhrat Mufti Muhammad Shafi's booklet, Mas'alah Sood).

It should now be clear that dealing in bonus bonds is a ribaa transaction since both the interest and the prize-money are ribaa according to the Shariat. Therefore, "purchasing" or dealing in bonus bonds is HARĀM.

What to do if you have already indulged in bonus bonds

Those who have already "purchased" these bonds should:

- (a) Make taubah (repent) and seek Allah's pardon.
- (b) Withdraw their money as soon as possible by redeeming their bonds. This is possible only twelve months after date of "purchase".
- (c) The interest and the prize-money are classified in the Shariat as Wājibut Tasadduq which means that it is compulsory to contribute the money (i.e. the interest and the prize-money) to the poor or some other charitable cause. It is not permissible to utilize the interest and the prize-money for one's personal needs.
- (d) The interest and prize money should not be left unclaimed because the unclaimed monies will be utilized for un-Islamic purposes.

Bonus Bonds acquired by way of gift

In some cases employers have awarded bonus bonds as gifts to their employees. The reality of such gifts is a transference of ownership of money from the employer to the employee. The owner of the bonds (the employer in this case) is the creditor and the government is the debtor being indebted to the holder of the bonds (the employer in this case). In making the gift of the bonds, the government becomes the debtor now of the employee. Once the employee becomes the owner of the bonds, b, c, and d (mentioned above) will come into force.

SIGN OF NISBAT

The sign of a man of 'Nisbat' (Saahibe Nisbat) – a saint who has attained that close and special relationship with Allah – is that the effect of his association (suhbat) produces yearning for the 'Aakhirat' and detestation for the world. Another sign is: pious people are attracted towards him greatly.

THE DEENI USTAAD

By HADHRAT MASEEHUL UMMAT, MAULANA MUHAMMAD
MASEEHULLAH KHAN SHERWANI

Rasulullah (sallallahu alayhi wasallam) said that a man who has imparted even a single line of the Book of Allah to another becomes the master of that person. This statement of Nabi-e-Kareem (sallallahu alayhi wasallam) emphasises the lofty rank which the Ustad holds over the student. The superiority and excellence of the Ustad are amply borne out by this hadith as well as many others. The bond between an Ustad and a student of Deeni Knowledge is sacred. A student can never repay his Ustad for even a single aayat which he has acquired from him. The Deeni Ustad's rank is only next to that of parents. The Shariat makes incumbent upon the student to honour, respect and love his Ustads, without whose agency he could never obtain what he has attained. Students who are disrespectful to their Ustads are doomed to spiritual destruction. They will be failures in this life as well as in the hereafter. The learning of a disrespectful student will neither benefit himself nor others. In the Chain of Deeni Uloom which links up to Rasulullah (sallallahu alayhi wasallam), our Ustads are our links which join us to that wonderful Chain. Without Deeni Ustads Knowledge is not attainable. It is for this reason that all those who are self-taught or who studied books without being under the guidance of a Deeni Ustad, went astray. There is not a single person who has ever attained any lofty rank in the Deen and by Allah without the agency of an Ustad. He who has no Ustad, shaitaan becomes his ustad.

A few episodes out of the lives of some of the greatest authorities of Deeni knowledge will be cited here to show the vital importance of honour, respect and love for Ustads in Deeni Knowledge.

* Hadhrat Abdur Rahmaan (rahmatullah alayhi) said:

"I remained studying for twenty years in the service of Imaam Malik [rahmatullah alayhi]. Of these twenty years I spent eighteen years in obtaining instruction in moral and character reformation and development and only two years in academic study."

This demonstrates the priority and importance of the acquisition of akhlaaq (moral character).

* Imaam Shamsul Aimmah Halwaani (rahmatullah alayhi) visited a certain town. As many of his students who were in that town upon hearing of the arrival of their Ustad rushed to welcome and meet him. However, Qadhi Abu Bakr (rahmatullah alayhi), also a student of his, did not go to meet his Ustad. After a while when the Ustad and student met, the Ustad queried the reason for his absence. Qadhi Abu Bakr (rahmatullah alayhi) replied that he was engaged in rendering essential service to his mother hence he could not present himself to his Ustad on that particular occasion. Hadhrat Halwaani (rahmatullah alayhi) said: *"There will be increase in your rizq, but no benefit in your knowledge."* And so it was. Here the duty upon the student was to have presented himself to his Ustad notwithstanding his service to his mother. He could have visited his Ustad later and tendered an explanation after which he could have departed with the permission of his Ustad and engage himself again in the service of his mother. In this way the rights of both mother and Ustad would have been fulfilled.

* Hadhrat Imaam Shaafi (rahmatullah alayhi) said:

"In the presence of Imaam Malik [rahmatullah alayhi] I even turned the pages of the kitaab in perfect silence so that the sound of the pages turning does not reach his ears."

* Imaam Rabee' (rahmatullah alayhi) said:

"I never had the courage to even drink water in the presence of Imaam Shaafi [rahmatullah alayhi]."

* Qadhi Fakhruddin Irsabandi, Raeesul Aimmah who was highly honoured by even the king of the time, said:

"I obtained this lofty rank as a result of service to my Ustad. Besides service in general, I prepared the meals of my Ustad, Qadhi Abu Zaid Dabusi [rahmatullah alayhi] for thirty years and because of respect for him I never ate therefrom."

* There is a very touching and awe-inspiring lesson for students in the following episode of Hadhrat Imaam Abu Yusuf (rahmatullah alayhi). His son died and while funeral preparations were underway, the time arrived for the class of his Ustad, Imaam Abu Hanifah (rahmatullah alayhi) to commence. Hadhrat Imaam Abu Yusuf (rahmatullah alayhi) handed over the funeral arrangements to relatives and departed to attend the class of his Ustad.

* All are familiar with the name of Khalifah Haroon Rashid. His kingdom stretched from the Sea of Sindh to Spain. His two sons were acquiring knowledge from the Arabic grammar master, Farraa. On one occasion when the Ustad arose after having imparted the lesson, both sons of the Khalifah rushed to put in position the shoes of their Ustad. Both reached the shoes together and a dispute developed between them—who was to have the honour of bringing the shoes to the Ustad? Finally, they resolved the dispute. Each carried one shoe so that both may obtain the honour of having rendered service to the Ustad.

The palace spies immediately notified the Khalifah of this incident. The Ustad was called to the royal court. Haroon Rashid asked: *"Who today on earth has the highest rank and is the most honoured?"* Farraa, the Ustad replied: *"Who can be more honourable than Ameerul Mu'mineen?"* Haroon Rashid replied:

"No! He is the most honourable, over whose shoes even princes dispute."

The king, in gratitude and happiness awarded each son ten thousand silver coins for their high moral character and ten thousand silver coins to the Ustad for the beauty of his instruction to the princes.

* Ibnul Muqri says:

"For the sake of Ibn Fudhaalah I travelled seventy manzils [over three thousand miles] to obtain a single manuscript. The price of the manuscript [i.e. the worth of the paper in the manuscript] was not even equal to the price of a loaf of bread."

* Hadhrat Maulana Rashid Ahmad Gangohi (rahmatullah alayhi) said:

"While I was studying under my Ustad, Hadhrat Mamluk Ali Sahib [rahmatullah alayhi], a rash developed on my whole body. I would wear gloves when attending classes. During this time, I did not absent myself a single day from class. Once, seeing me suffering much because of the rash, my Ustad exclaimed: 'Your condition is reflected in the verses:

Hadhrat Maulana Ashraf Ali Thanvi [rahmatullah alayhi] was so much engrossed in acquiring knowledge and so keen to learn that he learnt certain kitaabs not in the syllabus, from Ustads while they were engaged in making wudhu. The Ustad would impart the lesson while he was busy with wudhu.

Miscarriages

The following is an explanation of some masaa-il pertaining to miscarriages. A miscarriage in the context of our discussion will mean the birth of an undeveloped or partially developed foetus.

(1) If the foetus has developed any human part, e.g. hand, finger, nail, hair, etc., it will be a child in terms of the Shariah. The blood resulting in this miscarriage will be *nifaas*. Salaat and Saum (fasting) are prohibited in this state and all the *ahkaam* (rules) regarding a normal *nifaas* will apply in this case.

This foetus will be given ghusl, wrapped in a cloth without observing the masnoon *kafan* method, and buried (*dafan*) in the normal masnoon way. However, Janaazah Salaat will not be performed.

(2) If the foetus has not developed any human part, it will then not be a child in terms of the Shariah. In this case there is no ghusl, no kafan and no dafan (normal burial) for it. However, since it is part of the human body, it will merely be buried underground and not discarded as waste as is the practice of the kuffaar.

In this case the blood resulting from the miscarriage is not *nifaas*. It may either be *haidh* or *istihaadhah*. In order to determine what it is, the following facts have to be established:

(a) The number of pure days between the last haidh period and the miscarriage.

(b) The number of days the blood of the miscarriage lasts.

If fifteen days of purity or more passed between the last haidh and the miscarriage and the blood of this miscarriage continues for three full days (72 hours) after the miscarriage, then this blood of the miscarriage will be haidh. In this case all rules pertaining to haidh will apply.

If any one of the above two conditions is absent, the blood of this miscarriage will not be haidh, but will be *istihaadhah*. All rules pertaining to *istihaadhah* will now apply. The blood of this miscarriage being *istihaadhah* will apply in the following cases:

(1) The number of pure days between the last haidh and the miscarriage is less than fifteen. It will then be *istihaadhah* even if the blood continues for three days or more after the miscarriage.

(2) The number of pure days between the last haidh and the miscarriage is fifteen or more, but the blood after the miscarriage continues for less than three days (i.e. less than 72 hours). The blood will then be *istihaadhah*.

The blood of this miscarriage will be haidh ONLY if the number of pure days is fifteen or more AND flows for a minimum of three days after the miscarriage.

Understand these masaa-il well. If in doubt, write to the Mujlisul Ulama for clarification and do not form your own conclusions thereby destroying your ibaadat and incurring sin. Rasulullah (sallallahu alayhi wasallam) said: *"The cure for ignorance is to ask."*

Stillborn

A still-born child in our context is a baby born dead or a baby who died immediately upon being born. The laws of the Shariah applicable to still-born infants are as follows:

(1) If the baby cried or made any movement then died, it will be given a name, ghusl, kafan and Janaazah Salaat will be performed. It will be buried (*dafan*) normally.

(2) If the baby did not cry nor make any movement, it will be given ghusl and be buried normally. However, normal masnoon kafan will not be given nor will Janaazah Salaat be performed. Instead of kafan, it will be merely wrapped in a cloth.

In order to establish if the baby had cried or made any movement at the time of birth, the testimony of the mother or of the midwife will suffice for the purpose of Janaazah Salaat. But, for the purpose of *Miraath* (inheritance) the testimony of the mother will not be accepted. Even if the mother testifies that the baby had cried or made movements, her testimony will not be accepted in so far as inheritance is concerned. If the midwife happens to be a Muslim and pious, her testimony will be accepted and the law of inheritance will apply. However, if the midwife is a non-Muslim or even a Muslim, but not pious, her testimony too will not be accepted in regard to *miraath* (inheritance) pertaining to the baby.

Continued from page 3

a kaafir, we cannot comment until we have full information of the incident. It is permissible to perform Fardh Salaat behind your Imaam even if he had branded someone to be a kaafir.

Q. *A man committed zina with a woman. As a result the woman became pregnant. During her pregnancy, the same man married her. Is this marriage valid in the Shariah? Whose child will it be?*

A. The marriage is valid. If the child is born at least six months after the nikah, it will be a legitimate child and husband will be its father. If the child is born in a period less than six months after the nikah, the child will be illegitimate and it will be related to only its mother.

ISLAMIC KNOWLEDGE

Hadhrat Sha'bi (rahmatullah alayhi) said:

"Take hold of that which comes to you from the side of Rasulullah [sallallahu alayhi wasallam] and his Sahaa-bah, and discard with contempt the opinions of people."

Hikmat and Ilm are a Noor [a celestial or spiritual light] by means of which Allah guides whomever He pleases."
[Imaam Maalik]

Knowledge is not narration in abundance, but is a Noor which Allah inspires into the heart.
(Imaam Maalik)

The sign of knowledge is to turn away from the world and to turn towards the Hereafter.
(Imaam Maalik)

Hadhrat Sufyaan Thauri (rahmatullah alayhi) said:

"The Ulama are such persons who having acquired knowledge, and practise in conformity with it. When they practise in accordance with knowledge, they become engrossed in it. When they become engrossed in it, they remain out of the sight of the general public. When the public does not see them, it searches for them and when people search for them [the true Ulama] they flee from creation."

"When Ilm (knowledge) arrives, it calls on amal (action). If it (practice and action) responds, knowledge remains otherwise it departs."

Those who resort to opinion in matters of the Deen, make halaal what is haraam, and make haraam what is halaal.
(Hadith)

True knowledge (ILM) is a special faculty which Allah Ta'ala inspires into the heart of the Mu'min. It is not acquired from books. The Qur'aan-e-Hakeem states in this regard:

"He whose heart Allah expands for Islam, is established on a Noor of his Rabb."

WOMEN'S VOICE

The voice of a female also falls within the limits of the Shariah. It is not permissible for a woman to unnecessarily make heard her voice to a male. This purdah for the voice can be gauged from the Shariah's instruction to a woman who rectifies the Imaam. If women happen to be performing Salaat in jamaat, and the Imaam commits an error in recitation, a woman cannot rectify the Imaam by reciting the relevant portion. The method the Shariah has chosen for her on this occasion is the clapping of hands. She should draw the attention of the Imaam to his error by clapping her hands once. Such clapping which is an excessive act in relation to Salaat is not permissible for men. However, in view of the restrictions the Shariah places on a woman's voice too, clapping hands even in Salaat has been tolerated for them, but not reciting the relevant part of the Qur'aanic aayat aloud. This order of clapping hands applies even if the Imaam happens to be her husband or any other mahram.

QUESTIONS

Q. *A Muslim calls another Muslim a kaafir. What does the Shariat say about such a person? If the one calling another Muslim a kaafir is the Imaam of the Musjid, can we perform our Fardh Namaaz behind him?*

A. It is not permissible for a Muslim to say that another Muslim is a kaafir. To say so is a grievous sin. If the one called a kaafir is not a kaafir, then the kufr will rebound onto the one who unjustly called the Muslim a kaafir. A layman has no right to brand any person a kaafir. Branding a Muslim as a kaafir is indeed a very grave matter. Issuing a fatwa of kufr is the function of the Ulama exclusively. Such fatwa will be based on Shar'i principles and will be in the interests of the Muslim community. Regarding your Imaam who called someone

AFGHANISTAN

The following is a translation of a report which was published in the French press.

The Afghan Muslims fighting against the Russians claim that they possess a weapon which is creating panic among their communist enemies. This weapon is divine miracle. A group of Ulama, in an attempt to authenticate the miracles, has collected all available proofs of divine intervention in the Jihad which the Mujahideen are waging against the Red army and its ally, the troops of the Democratic Republic of Afghanistan.

From intact corpses whose blood has been oozing out for as long as a year to bullets passing through clothes without injuring those wearing them, the miracles selected by the experts are described 'as beyond a shadow of doubt'. Riding amidst angels, the head pierced by ten deadly wounds, the Mujahideen sometimes receive aid from bears, cobras and scorpions. Disbelief in these miraculous occurrences is regarded as blasphemy.

In many cases noted by the Ulama, animals which devour the remains of the Soviet and Afghan soldiers, showed respect to the corpses of the Mujahideen who fell in the same place. This is the most commonly reported miracle and it is testimony of the direct entry into Paradise of these shuhadaa (martyrs) of the Faith. One case of temporary resurrection has also been reported by the theologians. Since the father of a Mujahid killed in a battle desired to ascertain if his son really deserved the title of shaheed, the friends of the deceased led the father to the corpse. The Mujahid returned to life, shook hands with his father before closing his eyes forever.

A commanding officer, Mohamed Arsala, already famous in his district, routed an entire enemy convoy with a single rocket while his camp was being attacked by a far superior Soviet force. He prayed with his men for the only anti-tank rocket they possessed to be sufficient to halt the Soviets. He hit a truck loaded with explosives in the middle of the convoy and the damages were of such a magnitude that the Soviets were compelled to retreat without fighting.

Many accounts also affirm that bears have signalled to the Mujahideen the approach of the enemy, by means of unusual behaviour.

All testimonies come from Muslims who are sane in mind and whose sincerity is unquestionable. The reported facts are authentic and some occurred in the presence of foreign witnesses.

Until now, the numerous journalists who have travelled secretly around Afghanistan, have not reported any supernatural experiences. However, most of them have affirmed upon their return that the faith and courage of the Afghan Mujahideen in the face of an enemy overwhelmingly superior in arms, material and numbers, is a miracle in itself.

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(Mujlisul Ulama Zakaat Organization of S.A.)
P.O. Box 3393, Port Elizabeth.

Your Zakāt — our Condition of Acceptance

The prime purpose of the Mujlisul Ulama Zakaat Organization is to guide Muslims in their Zakaat affairs. Our aim is not to be a money-collecting organization. However, where Muslims find that they are not able to distribute their Zakaat funds in accordance with the Shariah, they may then divert their Zakaat payments to us. To assist us in this task and to lighten the responsibility for us we stipulate the following condition for the acceptance of Zakaat funds diverted to us for distribution:

WHEN FORWARDING ZAKAAT TO US, DO MAKE THE NIYYAT (INTENTION) OF MAKING THE MUJLISUL ULAMA ZAKAAT ORGANIZATION YOUR FREE AND UNFETTERED WAKEEL (REPRESENTATIVE) IN THE DISTRIBUTION OF YOUR ZAKAAT.

This niyyat by you will enable us to distribute your Zakaat in accordance with the Shariah in a manner that will make it easy upon us to effect the distribution. Do remember that the effect of making this niyyat (as outlined above) will permit us full and unfettered control and freedom to distribute within the Shari' Zakaat categories in a manner, time and amount as we deem fit.

PLEASE NOTE THAT WE SHALL ACCEPT YOUR ZAKAAT FOR DISTRIBUTION ONLY ON THIS CONDITION: If you cannot agree to this condition, please do not forward your Zakaat to us for distribution. You may in that case divert your Zakaat elsewhere for distribution.

WARNING DO YOU KNOW? ALI SHARIATI

For the guidance of the Muslim community, the Mujlisul Ulama makes known that a certain author, known as Dr. Ali Shariati is a Shiah. His writings are not in accordance with the Shariah. In his works he propounds many un-Islamic views, opinions and beliefs. Insha'Allah, in future issues of *The Majlis* we will examine some of his *baatil* for the benefit of the Muslim public. Do not be misled by the writings of Ali Shariati, which some modernists groups are disseminating in the community.

CAPE COLLECTION ANNOUNCEMENT

The Jamiatul Ulama (Eastern Cape) reminds the Muslim public to be wary of collectors from the Port Elizabeth, Uitenhage, Eastern Cape area. Valid and authentic collections will be sanctioned by the Jamiatul Ulama. Before contributing to anyone from this area, do ensure that the collectors have our stamped and signed authorisation which will be on our letter-head. Do not accept photocopies as authentic.

JAMIATUL ULAMA (Eastern Cape),
P.O. Box 8049, Port Elizabeth.

Rasulullah (sallallahu alayhi wasallam) said:

"If you abstain from commanding righteousness and prohibiting evil, Allah will appoint over you such cruel oppressors (to rule over you) who will show no mercy to your little ones and no respect to your seniors. [At that time of oppression and injustice] the pious among you will make dua (for alleviation of the misery), but their duas will not be accepted."

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ULAMA and FUND-COLLECTING

Our Hadhrat Maulana Ashraf Ali Thanvi (R.A.) said that collecting funds is not the work of the Ulama. Their work is, by the Fadhil of Allah, to adopt tawakkul and for the sake of Divine Pleasure engage in service to the knowledge of the Deen. However, their duty is merely to notify the public of the needs and requirements of their Deeni activities. Whoever wishes, should then contribute in happiness, and whoever does not wish to contribute, should refrain from doing so. Those who are eager to contribute towards Deeni activities will make the arrangements themselves for the delivery of the funds.
(Hadhrat Masihullah)

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THE P.E.M.E.I

An organization, having no Islamic qualifications, and styling itself, *Moslem Educational Institute*, has deemed it appropriate to openly and flagrantly violate the prohibition of the Qur'aan by sending women around--from door to door--to collect funds for its project. The Qur'aan prohibits women from taking to the streets, and the Shariah of Allah prohibits men to use women in ways of *jaahiliyyah* exhibition. Allah Ta'ala declares His clear prohibition in the Qur'aan Shareef in the following terms:

"And, [O women!] remain within your homes and make not a display [of yourselves] like the exhibition of previous jaahiliyyah [times of ignorance]."

Surah Ahzaab

And, Rasulullah (sallallahu alayhi wasallam) warned:

"A community which entrusts its affairs to a woman will never be successful."

Since the M.E.I. has chosen the path of violation--flagrantly contravening the clear prohibitions of the Qur'aan and openly transgressing the limits of the Shariah and since the M.E.I. is bent on making use of haraam methods of fund-raising, the Jamiatul Ulama dissociates itself from this body and its activities. We urge all right-thinking and concerned members of the M.E.I. to fear Allah Ta'ala and to bring pressure on their errant and deviated officials so that the affairs of the organization be channelled along the lines of the Shariah. We also urge the Muslim community to refrain from aiding the sinful method of collection which the M.E.I. has initiated. In contributing to the women collectors wandering around the streets, from door to door, you will be aiding sin and transgression. The Qur'aan prohibits you of this:

"Do not help one another in sin and transgression."

In view of the un-Islamic and haraam methods introduced by the M.E.I., you will be rendering the Deen a service by withholding your contribution from the women collectors parading in public in violation of Islamic Law.

"And, upon us is to but deliver the clear Law."

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The Majlis

"VOICE of ISLAM"

Vol 5, No. 9

Hadhrat Maulana Rumi (R.A.) said:
"There are many Iblees (devils) in human form. Do not become their disciples and hear not their talks."

SHI'ISM

THE SECT OF BAATIL

Shi'ism's fundamental basis-- the cornerstone of its religion-- is its principle of reviling, abusing and rejecting the Sahaabah of Rasulullah (sallallahu alayhi wasallam). The murderers of Hadhrat Uthmaan (radiallahu anhu) realized that their politically and *nafsaani* inspired movement can never be successful as long as the authority of Rasulullah's (sallallahu alayhi wasallam) Sahaabah is retained. They had, therefore, no alternative other than raising the structure of Shi'ism on the basis of opinion which necessitated the denial of the authority of the Companions of Rasulullah (sallallahu alayhi wasallam). They thus propagated the doctrine of the rejection of the Sahaabah with brutal blasphemy, conspiracy, murder, fraud and fabrication of statements

which they shamelessly attributed to Rasulullah (sallallahu alayhi wasallam). Their religion is based on the villification of those whom Rasulullah (sallallahu alayhi wasallam) loved so dearly and whose authority is established, not on the basis of opinion and love, but on the basis of Divine Directive. Without the Sahaabah there can be no Islam, no Qur'aan, no Sunnah, no Shariah, no Imaan. The Deen of Allah Ta'ala came to us and to all and will continue to travel to the end of time by means of *Naql* (authoritative and authentic narration), the first link in the chain of narration and transmission joining us with Rasulullah (sallallahu alayhi wasallam) being the noble Sahaabah. But, Shi'ism has broken that very first and vital link with Nabi-e-Kareem. They thus have no Shar'i authority and no Shar'i proof for their beliefs of the nafs. The way they have sought to overcome this hurdle is by their doctrine of fabricating ahadith to substantiate their claims.

Nifaaq or hypocrisy is a principle of the Shi'i religion. They technically term such hypocrisy as *taqiya* which means the permissibility to conceal one's true beliefs for the sake of any expediency. Thus they attribute even such hypocrisy to Hadhrat Ali (radiallahu anhu). It is the Shi'i belief that although Hadhrat Ali (radiallahu anhu) believed that Hadhrat Abu Bakr and Hadhrat Umar (radiallahu anhumaa) usurped the Khilafat and deliberately betrayed Rasulullah (sallallahu alayhi wasallam), he nevertheless pledged loyalty to these senior Sahaabah on account of some political expediency. This blatant baatil and blasphemy attributed to Hadhrat Ali (radiallahu anhu) exhibits the crookedness of Shi'i mentality.

The Shiahs who have gone out of their way to belittle the Sahaabah and to drop them from the pedestal of authority which the Shariah assigns to them can never be the lovers of Rasulullah (sallallahu alayhi wasallam) nor can Rasulullah (sallallahu alayhi wasallam) have love for such miscreants of belief. About such hatred for his Sahaabah, Rasulullah (sallallahu alayhi wasallam) said: "Those who hate the Sahaabah, hate them because [in reality] they hate me."

In the attempt to achieve their pernicious aims and objects the Shiahs left no stone unturned in insulting and villifying the Sahaabah. People of Imaan will pray that thorns crop up into the tongue before one can dare criticize and insult a Sahaabi. It is far far superior that one's tongue falls out with cancer rather than reviling the Sahaabah. Only those whose hearts are absolutely despoiled with baatini filth will have the audacity to speak ill of the illustrious and beloved Sahaabah of Rasulullah (sallallahu alayhi wasallam). Allah Ta'ala has cast a veil of darkness over the Shi'i heart. He has plugged the ears of the Shi'i and He has blinded the spiritual heart of the reviler of Rasulullah's (sallallahu alayhi wasallam) Sahaabah.

It is a Shi'i contention that the great Sahaabah, especially Hadhrat Abu Bakr, Umar, Uthmaan, et.c. (radiallahu anhum) did not understand the teachings of Nabi-e-Kareem (sallallahu alayhi wasallam). They further shamelessly and blasphemously assert that these illustrious *Khulafa Raashideen* are usurpers, frauds, fabricators of ahadith and wholly incompetent in Deeni matters. Indeed, the *la'nat* of Allah Ta'ala must be on such slanderers as the Shi'i clergy who make such wicked assertions. In spite of their slander being shocking and despicable in the extreme, it is not surprising since they are the worst fabricators and frauds peddling their *nafsaani* opinions in the name of Islam and attributing it to Rasulullah (sallallahu alayhi wasallam). They have accused the Sahaabah of being involved in conspiracies to eliminate Islam and supplant it with the Arab tribal systems of the time of jahiliyyah. The blasphemous drivel which clutters their books and preachings exhibits their wickedness and detestation for the Islam of Rasulullah (sallallahu alayhi wasallam).

In spite of the open venom which the Shiahs spit against the Sahaabah, the ignorant supporters of the Shiahs among the Ahle Sunnah expect the Ulama to raise slogans of brotherhood and to fabricate a common basis and a common platform of fraternity with the haters of Rasulullah's (sallallahu alayhi wasallam) Companions. They expect the Ummah of Rasulullah (sallallahu alayhi wasallam) to unite with those whose very religion is reared on hatred for the Sahaabah. No, that can never come to pass. The enemies of Rasulullah's (sallallahu alayhi wasallam) Sahaabah can never be the friends and the brothers of the Ahle Sunnah. There is no apologetism in our capital for such ventures. We know of no diplomacy and recognize no expediency for such vile *brotherhood*. If unity and brotherhood with all and sundry are of such importance, let the supporters of the Shi'i clergy advocate unity and brotherhood with shaitaan and Qadianism as well.

We unequivocally maintain that those (the Shiahs) who claim that Hadhrat Zubair, Talha and Aishah (radiallahu anhum) are *jahannami* (inmates of the fire) are our enemies. In fact, they themselves are *jahannami*. Only those standing in line to be condemned to Jahannam can be so shameless as to say that these illustrious Sahaabah among the *Ash'arah Mubashsharah* and the beloved wife of Rasulullah (sallallahu alayhi wasallam) are *jahannami*. May Allah Ta'ala save us from uttering such kuff.

Muslims should now realize that it is haraam to support in any way the Shiahs. Support for Khomeini and the Shi'i clergy is support offered to the enemies of Rasulullah (sallallahu alayhi wasallam). Shi'ism falls within the purview of the following statement of Rasulullah (sallallahu alayhi wasallam):

"My Ummah will be split into 73 sects. Of these, all but one, will be in the Fire."

What does the intelligence and Imaan of Muslims direct and conclude? Does the Imaan of a Mu'min opine that the Shiahs are in the *Naaji* (that which will be saved) group or the Sahaabah? Will the Sahaabah be in the one sect which will go to Jannat or in the 72 sects condemned to hell? Will the Shiahs be despatched to Jannat and Hadhrat Aishah, Zubair, Talha, Abu Bakr Umar and Uthmaan (radiallahu anhum) to Jahannam as the Shi'i clergy asserts? What does your Imaan tell you? Who will be in Jahannam? The beloved wives and Sahaabah of Rasulullah (sallallahu alayhi wasallam) or the Shi'i clergy of Iran?

* If there is honour for the Saints in the heart, Noor enters, Imaan is strengthened and Deen is grounded.

* A person who in his proper senses conflicts with the Deen is a dajjal and if he is not in his proper senses then he is a majnoon (insane).

* The actual thing to acquire is a proper relationship with Allah. But no one is concerned with this.

RETRACTION

The Majlis owes the Muslim community an explanation in view of its recent stand of exposing the evil of Shi'ism. The explanation has become necessary since elements favourably disposed to Shi'ism are attempting to sow confusion in the minds of Sunni Muslims by presenting certain pro-Khomeini statements which *The Majlis* had published in the past.

Our present stand against Shi'ism is certainly in contradiction of certain pro-Khomeini statements published by us in the past. We, therefore, wish to clarify that:

(1) In the beginning, i.e. when we had published the pro-Khomeini statements, we had no clear picture of either Khomeini or the Shi'i religion. We were unaware of the true beliefs of Shi'ism. We did not know at that time of the violent conflict between the beliefs of the Shiahs and those of Islam.

(2) Khomeini's campaign was and is still conducted under an Islamic facade giving the impression that he is endeavouring to establish the rule of the Shariah of Islam. This presented a false picture of Khomeini in our minds. This false image, we must confess, was largely the consequence of not being aware of the beliefs of this baatil sect.

(3) In view of certain evil and kufr statements made by leading Shi'i priests--statements which were published in the Teheran Times--statements condemning the Sahaabah in the vilest terms-- we were compelled to make a study of the Shi'i religion.

(4) Our study has conclusively established that the differences in belief between the Shiahs and the Ahle Sunnah are so glaring, so serious and so wide that the gap between them and us can never be bridged. The evil of the Shi'i religion is of such a nature that our Imaan demands that they be our enemies because they are the enemies of Rasulullah (sallallahu alayhi wasallam) by having condemned the Sahaabah as being *jahannami*. Insha'Allah, *The Majlis* will from time to time inform the Muslim community of the evil beliefs of Shi'ism.

(4) Now that the true position of Shi'ism is known to us, we unreservedly withdraw our earlier support for Khomeini and his campaign which he describes as an *Islamic Revolution*, but which in reality is another evil and politically motivated movement not much better than that of the late Shah. The Shi'i clergy is merely misusing the name of Islam to hoodwink people into believing that they have Islam at heart. But, men who have Islam at heart will first and foremost have Rasulullah (sallallahu alayhi wasallam) at heart. We hereby freely admit that we had erred grievously in publishing support for such enemies of Rasulullah (sallallahu alayhi wasallam) as Khomeini and the Shi'i priests. We acknowledge that in having published such pro-Khomeini statements we rendered Islam a disservice because support proffered for Khomeini and his horde of Shi'i priests is support for the enemies of Nabi-e-Kareem (sallallahu alayhi wasallam). We regret much the serious error which we committed in publishing support for the evil Shi'i priests. We repent. We make istighfaar. We implore Allah Ta'ala to rectify the wrong which may have resulted from our publication of support for the Shi'i plunderers of Imaan. We petition Allah Ta'ala to forgive us and perpetually maintain us on Seeratul Mustaqeem and may He strengthen our resolve and means of combating and exposing the evil Shi'i sect as well as all forms of baatil. We make dua that Allah Ta'ala shower His Rahmat on us and may His Aid surround us and may He always compel us to proclaim the Haqq no matter how vociferous and how rowdy and how forceful the opposition emanating from the combined ranks of kufr, baatil and dhalaal. Finally, may Allah Ta'ala raise us on the Day of Qiyaamah in that group in which will be Abu Bakr, Umar, Uthmaan, Ali, Zubair, Talha and Aishah--in that group which the satanic priests of Shi'ism say is *jahannami*. We are the slaves of that group of Sahaabah whom Khomeini and his Shi'i priests say are the inmates of the Fire. We are the slaves of Aishah, *Ummul Mu'mineen*, whom the Shi'is specifically assign to Jahannam. The *la'nat* of Allah on the enemies of Rasulullah (sallallahu alayhi wasallam) and on the enemies of the Sahaabah. May Allah Ta'ala either guide these miscreants of Imaan or may He destroy them. They are not Muslims.

QUESTIONS and ANSWERS

MUJLISUL ULAMA
OF SOUTH AFRICA
P.O. BOX 3393
PORT ELIZABETH

Q. Nowadays it is a common practice with Muslim Jamaats and organizations to take decisions at their meetings on the basis of majority votes. What the majority decides on an issue is taken as binding notwithstanding the fact that in some instances such a decision may be in conflict with the Shariah. Even in the election of officials, e.g. chairman, secretary, treasurer, etc., the same pattern is observed. Proposing and seconding are the principle upon which officials are elected. Here too, the majority vote decides the issue. Consequently, in many instances, Islamically unqualified people are voted in by the majority.

Is the foregoing procedure compatible with the Shariah? If the answer is in the negative then what is the true Islamic procedure of conducting Islamic meetings, electing officials and members to serve the jamaat or organization?

A. The pattern of meetings, appointing officials, etc., in vogue among Muslim bodies is not at all Islamic. It is a purely western system which Muslims have unnecessarily introduced into their lives. It is superfluous in so far as the Shariah is concerned in that its need is not imperative. According to the Shariah, imitation of the non-Muslims in matters non-essential is *tashabbuh bil kuffaar* (imitating the kuffaar) which is not lawful. Allah Ta'ala has created Muslims superior by virtue of the Imaan in their hearts. A Mu'min should, therefore, not unnecessarily follow the kuffaar like sheep. We are commanded to follow our Fuqahaa and Aimmah Mujtahideen, our Ustads and Mashaaiikh. It does not behove us to appoint the kuffaar as our cultural leaders. Islam does not lack in culture and civilization, but it will be seen that those whose *taqleed* (following) of the Shar'i authorities is weak, deficient and negligible are the prime culprits in *tashabbuh bil kuffaar*. They have removed from themselves the superior garland of *taqleed* of Haqq and in its place hung around their necks the yoke of kuffaar imitation. Since Muslims have become rudderless (because they follow no Divine Authority) they readily follow any system method and culture offered by the kuffaar. Furthermore, the colossal ignorance of the Deen prevalent among Muslims coupled with western or kuffaar education have established in the Muslim mind an inferiority complex. They therefore feel that progress is to be measured in terms of western and other kuffaar forms and systems.

Matters pertaining to the Shariah and even to the Muslim home cannot be decided on the basis of majority vote, for this is no principle of action and decision in Islam. Islam does not uphold a majority decision in a matter in which the Shariah has issued its ruling. And, usually the majority is ignorant, lacking in knowledge and experience. The majority invariably is the follower of the nafs. Lowly desires, selfish motives and ignorance play a vital part in the decisions of the majority. In Islam decisions on matters of importance are to be made by the minority-- that minority which possesses knowledge, experience and ability even if such minority is only a single person. When Islam commands that even a single man controls the destiny of the entire Ummah with its millions of people, institutions, lands, etc., then what is so difficult for a single capable Mu'min to administer a single little Masjid--to pay its water and electricity accounts, to hire workers, and to generally attend to the affairs of a Masjid?

For running the affairs of a Masjid there is no need for the types of meetings and election of officials as is the case with most jamaats nowadays. Those who erected the Masjid should appoint some (even if one) honest and reliable persons to look after the affairs of the Masjid and Madressa. Such persons should then act in accordance with the Shariah by repeatedly consulting with the Ulama to ascertain the Shar'i decision on any given issue. Those in charge of the Masjid can enlist the support of others as well if need arises. There is no need to organize western type meetings for this purpose and it is not necessary that those running the affairs of the Masjid be Ulama, for such activities are not really the function of the Ulama. The Ulama's need arises only where there is a need to issue a Shar'i verdict. If no specific person/s built the Masjid, the people in the neighbourhood should request some reliable, honest and uprighteous persons to take charge of the affairs of the Masjid. These people will then act in consultation with the Ulama. There is no need for chairman, treasurer and secretary. These are superfluous posts in an Islamic set-up and generally people suffering from spiritual ailments hanker after such positions of futility. When a group of uprighteous persons has been appointed either by those who erected the Masjid or by the residents in the neighbourhood, then the general community will not participate in running the actual affairs. In other words members of the community will not intrude unnecessarily and voice their opinions as is the present situation at meetings of western type.

The Islamic system of entrusting position and responsibility on someone or some persons is essentially a system of mutual consultation and agreement among the elders and responsible members of the community. Even the highest position in Islam, viz., that of the Ameerul Mu'mineen, was entrusted upon Hadhrat Abu Bakr (radiallahu anhu) by firstly the selection of a single

man of integrity, viz., Hadhrat Umar (radiallahu anhu). Thereafter the rest followed suit and offered their allegiance and obedience. In the selection and appointment of persons to position of trust, the opinion of the rank and file is not taken into consideration. Each and everyone in the community has no Islamic right of dabbling in important matters. The Qur'aan Shareef commands that matters of trust and importance be referred to those in the community who understand such matters. In Islam there is no place for the western concept of one man one vote. This is a concept of ignorance. In western systems, the ignorant are the selectors of rulers, for the majority is always ignorant. The type of meeting which jamaats nowadays organize does not take the Shariah into consideration. The Shariah does not feature in such meetings. Men of the Deen should therefore strive to overhaul their un-Islamic systems of regulating their affairs.

Q. What is the Shariah's ruling on baaligh girls regarding the following activities:

(i) Studying in an Islamic Madressah under the tutelage of ghair mahram male Ustaads?

[ii] Attending co-educational secular schools and universities where non-Muslim males are teaching and where contact with male students is inevitable.

[iii] Working in shops and offices where they come into close contact with Muslim and non-Muslim males.

A. It is haraam for baaligh girls as well as such girls who are near to buloogh (puberty) to attend Islamic Madrasah and learn under ghair mahram male Ustaads. The Shariah does not grant any concession in Purdah for this purpose. The Muslim community has become extremely negligent in this matter. It has been witnessed that in many madrasahs young girls study under the hands of even young ghair mahram male Ustaads. This is indeed despicable and haraam. Islam does not advocate the acquisition of knowledge in a way which creates a threat to modesty and morality. It is haraam for parents to allow their young daughters to attend madrasah and study under the tutelage of ghair mahram Ustaads. Ustaads too should beware. They should refuse to teach young girls. After all, Ustaads must bear in mind that they are not employed to sacrifice their Deen. The jamaat officials cannot compel them to practise what is in conflict with the Shariah. Where the committee of the madrasah is intransigent and persists in demonstration of ignorance in violation of the Shariah, Ustaads should honourably resign. Allah Ta'ala is the Raaziq. Ilm and Hayaa cannot be bartered away for the miserable few rands which the community pays its Ustaads.

Young girls should remain at home and parents should make arrangements to have them taught at home. The girls in the neighbourhood may gather in Purdah at one of the nearby homes where a female teacher should impart lessons to them. This has been the system throughout the history of Islam. Muslim girls never left the home for Islamic education. The arrangement was made for them at private homes in a concealed way, without any fuss and publicity.

(ii) When attending even madrasah is haraam for young girls, then to a far far greater extent will it be haraam for them to attend secular schools and universities which Islamically speaking are dens of vice and immorality.

(iii) It is not permissible for Muslim women to take up employment in shops and offices where they have to be in contact with males.

Q. Many Muslims who possess televisions in their homes, offices and shops endeavour to justify this evil on the following grounds:

[i] They exercise strict control over the viewing of TV by watching only daily news items, sports and purely educational programmes.

[ii] That even devout Muslims who are highly religious in their outlook have introduced TV into their homes.

[iii] That it keeps children within the confines of their homes thus keeping them off the streets and places of evil. They therefore contend that it is better to resort to a lesser evil than to allow them to fall prey to greater evils.

[iv] That even in such holy places like Mecca, TV is displayed in every nook and corner.

[v] That it is better to sit and watch TV than to engage oneself in gossiping about people.

A. The above cited in favour of television are the straws which a drowning man clutches. A man with the least bit of intelligence will immediately discern the flimsiness of these arguments tendered in justification of the evil of television. There are a variety of factors which render television-viewing haraam. The first and foremost factor of hurmat (prohibition) is that pictures of animate objects forms an integral part of television. There is no television without the exhibition of pictures

of people. The type of pictures is a further factor of hurmat. Taking the basic factor of hurmat (pictures of people and animals) only, irrespective of the type of picture, educational or otherwise, fully clad or nude, television is haraam. Forgetting momentarily about all the other evils, the factor of pictures of animate objects alone suffices for the prohibition of TV. Hence, regardless of the control exercised on viewing television is haraam because of the basic factor of hurmat even if the programmes are sports, news and educational. Furthermore, viewing even live sport, i.e. watching the kuffaar play their organized sport, is also not permissible, for such kuffaar sport is attended by a number of evils among which are:

- * Exposing of the satr.
- * Intermingling of sexes at sport-venues.
- * Total forgetfulness of thikr. A Mu'min sitting among a mixed crowd of shouting, jeering, abusing and even drunk kuffaar indeed cuts a pity and woeful figure. Imagine that a Mu'min being *Ashraf ul Makhluqaat* (the noblest of creation) sitting in the midst of the riff raff of kuffaar and viewing another bunch of kuffaar with satr exposed running around a field like apes. It does not behove a man of Imaan to belittle the dignity of his Imaan by falling to such a despicable level of carelessness and forgetfulness. Allah Ta'ala has sent us into this transitory abode for a high and noble purpose, viz., His Remembrance and Ibaadat. It is therefore haraam to indulge in such practices which are negatory of this purpose. A Muslim deriving pleasure from kuffaar sport in such kuffaar environments is exhibiting the grave weakness of his bond with Allah Ta'ala. His connection with Allah Ta'ala must indeed be at an extremely low level for him to feel no pang of conscience when he sits among the kuffaar watching kuffaar peepertrating their antics.
- * Money is squandered in watching what is haraam. Huge amounts of money are wasted by Muslim supporters of kuffaar sport.
- * Besides such events diverting and blocking the mind and heart from thikrullah (which is waajib upon Muslims at all times), Muslims who attend such sports fail to perform their Salaat on time. Anyhow, it is usually those who are negligent about Salaat who attend such sports events which clash with the times of Salaat.

In regard to the second argument put forward in the question, it should be observed that the sins of devout Muslims cannot make halaal what is haraam. If all the devout people on earth indulge in a particular vice, it will not be grounds for proclaiming the vice as a virtue or for decreeing it lawful. It should also be well understood that devout Muslims do not keep televisions in their homes. The term *devout* is misconstrued. A Muslim who views TV is not devout. A Muslim who keeps TV in his home is not devout. He may be a well-respected person in his society. He may have a flourishing business and be a wealthy man. He may have contributed thousands of rands towards the construction of the local Masjid. He may be the chairman of the Masjid society. He may be the patron of some welfare body. He may have had an honorary degree conferred upon him by the university of the kuffaar. He may be a member of some highly placed political body. He may have performed Hajj half a dozen times and he may be wearing an Islamic garb. But, all this does not make one devout. Devoutness is a condition of the heart. This condition has two fundamentals, viz., (1) Obedience to the commands, and (2) abstention from the prohibition. The Qur'aan Shareef mentions this state as *Taqwal Quloob* (the piety of the heart). A man may be a Maulana and spending all his time in imparting Deeni Knowledge, but he possesses a TV at home. Such a Maulana is not a devout person. He may be a Maulana, but he is not devout. And, we might as well confirm here that there are some Maulanas around who conjure and conjecture all sorts of nafaasani reasons and arguments in justification of television solely because their desires hanker after it or because they cannot withstand the demands of their wives for television. Such Maulanas fall in that category of learned people whom Rasulullah (sallallahu alayhi 'wasallam) described as *sheeara ul khalq* or the worst of creation under the heavens and on the surface of the earth. This is so because they use and misuse, sell and betray the Amaanat of Ilm and the Shariah for a miserable price. A man who fell prey to even fornication (but thereafter regrets) is on a better wicket than a learned man who sucks the blood of the Deen and digs the foundation of the Shariah by his evil arguments emanating not from his head, but from his *nafs-e-ammaarah*.

If a 'devout' man steals, must we all follow suit? If a devout man frauds, must we all fraud? What type of mentality presents such crooked arguments? May Allah protect us from jahl piled upon jahl. We have not seen many people of a 'highly religious outlook' in our country. Their religious outlook and their piety are only external facades. The true piety of the heart is missing. You will find a man who has all the trappings and frills of piety on him. The community may consider him devout. But, his wife is managing or helping in his shop. She meets with all and sundry. She converses freely with the kuffaar males. This man's daughters attend univer-

QUESTIONS and ANSWERS

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sity. He indulges in ribaa. His stock is insured. His property is insured and his plate-glass is insured. He has a number of policies with insurance companies--policies with fancy names such as annuities, etc. Such a man is not devout in the realm of Allah Ta'ala. We shall not say that he is pious. His piety is superficial and that too in relation to those who indulge in sin openly. In actual fact he does not even possess superficial piety. Therefore, such people should not be cited as a criterion. We as Believers are commanded to follow the Shariah. And, the Shariah decrees that television is not permissible.

If sin is committed in Makkah Mukarrah it is not a basis or principle for legalizing what the Shariah has declared haraam. If theft is committed in the holy city, will it be argued that it will be permissible for us to steal over here? If fornication is committed in the holy city, will it become permissible to fornicate here? The stupidity of this argument is self-evident.

The way to keep children off the streets is not to introduce them to another evil even if the other evil happens to be of a lesser degree. Islam does not allow that an offer of two evils be made with a view for selection of the lesser evil. The way of keeping children off the streets and away from evil places is by *tarbiyat* and *ta'leem*. Parents have to Islamically train and educate their children. Piety cannot be inculcated in children by introducing them to an evil--by allowing them to view the evil of television. In fact, their whole outlook, mind, heart and rooh become corrupted and blackened by the evil propaganda of the TV. TV will in fact lead them to the greater evils. It will make them thieves, crooks and fornicators, for this is the theme of TV programmes. It will make them lustful and cruel. It will extinguish all qualities of virtue in them and strengthen all the baneful attributes of the nafs in them. *Akhlaaq-e-Hameedah* (the beautiful and lofty attributes) have to be inculcated into the children by careful, patient and perpetual *tarbiyat* (training) and *ta'leem* (teaching). They cannot be put on the road of piety by means of allowing them an institution which is a great destroyer of virtue and virtuous qualities and a fosterer of *akhlaaq-e-razeelah* (evil attributes of the nafs).

That it is better to watch TV than gossiping is not the issue. The issue is that TV is haraam. To stay away from one haraam it is not permissible to perpetrate another haraam. It is obligatory and essential to abstain from all haraam. Rasulullah (sallallahu alayhi wasallam) said that *gheebah* (scandalling) is worse than fornication. This being the case, can it be concluded that fornication is permissible because it is better than *gheebah*? The Shariah never says that one haraam is better than another haraam. It says that one virtue is better than another virtue (i.e. in degree of *thawaab*). The Shariah always says that one evil is worse than another evil. In such a comparison is no licence for committing the sin which is less evil. The way to abstain from gossiping is not to watch TV or to fornicate or to go to cinema, but its way is to merely restrain one's nafs and tongue. This is the only way. Haraam is not the perscription or remedy for abstention from gossiping.

Q. *Where is the Meeqaat for those proceeding for Hajj from South Africa? Some say Jeddah and others say the airport before Jeddah, viz., Nairobi. They say that since Jeddah is beyond the Meeqaat, it is compulsory to put on ihraam before reaching Jeddah. What is the ruling?*

A. There is some difference of opinion among the Ulama on this question. However, Hadhrat Mufti Muhammad Shafi' (rahmatullah alayhi) has issued the *fatwaa* that it is permissible for those coming from the south to don ihraam at Jeddah. Although this is permissible (and Mufti Shafi's arguments and proofs are more convincing than those of the Ulama holding the opposite view) to delay the ihraam until Jeddah, it is best to don it before Jeddah since it is unanimously permissible to don ihram before the Meeqaat.

Q. *I have missed Fardh Salaat for a number of years. Someone advised me to perform just twenty raka'ats called Salaatul Umri and my obligation will be discharged. Is this correct?*

A. It is incorrect. You must make qadhaa of all the Fardh Salaat which you had not performed. Performing twenty raka'ats will not set you free from your obligation.

Q. *We have come across a booklet named, "Qur'an-The Ultimate Miracle. We have a quantity of these books which were published in South Africa. A brother advised us to get your opinion before distributing these booklets. Please advise us if the booklet is in order.*

A. The booklet mentioned by you is a compilation of *baatil* and will only serve to corrupt the Imaan of unwary Muslims. The booklet will mislead those not versed in Islamic knowledge. The booklet contains an abundance of un-Islamic, erroneous and false concepts and arguments. It is not permissible to distribute the booklet. By the fadhl of Allah Ta'ala, the Mujlisul Ulama of South Africa has prepared a refutation of this booklet and the kufr theory it expounds on the strength of one misguided man from the United States, viz., one Rashad Khalifah who writes in his kufr commentary of

the Qur'aan Shareef that Rasulullah (sallallahu alayhi wasallam) was an idolater prior to Nubuwwah (*Nauth-ubillah!*). We are forwarding to you a quantity of our refutation of the booklet mentioned by you. Please distribute this refutation at your end and assist in the establishment of the *Haqq*.

Q. *Is it permissible for a married Muslim woman to teach in a secular school on the grounds that the children being taught by her have not reached the age of puberty?*

A. It is not permissible for Muslim women, married or unmarried, to teach in the secular schools of the kuffaar. The argument advanced to justify this employment is *baatil*. It is a baseless argument and has no validity in a matter of Shar'i concern. When it is not permissible for women to attend even the Musjid for Fardh Salaat, how can it be permissible for her to attend the secular schools of the kuffaar, impart a type of education which contains many un-Islamic factors, come into contact with males, leave the confines of her home in opposition to the compulsory command of the Qur'aan Shareef and emerge into the streets and venues of immodesty, up for display for the vulgar gazes of every Tom, Dick and Harry? Such employment and emergence from the home are not permissible for the women of Islam.

Q. *Can a Purdah-observing baaligh Muslim girl attend a western secular university? If not, please state on what Shar'i grounds is the prohibition based seeing that she will attend the university observing full Purdah?*

A. The meaning of *Purdah* is being misunderstood. *Purdah* is not confined to Shia-style *purdah*. Islamic *Purdah* is not confined to only dress and *burqah*. Islamic *Hijaab* firstly requires women to stay indoors and not venture unnecessarily outside the home environment. Wearing proper dress is only one facet of Islamic *Purdah*. It is not *full purdah*. Leave alone the universitiess of kufr, immodesty, immorality and liberalism. It is not permissible for girls, even those near to puberty, to attend even Islamic Madrasah. Western universities are not places for Muslims-- boys or girls. In Volume 4, No.11 of *The Majlis* we explained in detail the reasons for the prohibition. Those who are interested may write for a copy of relevant *Majlis*.

Q. *Nowadays there is a widespread practice among Muslim women. They offer a loud dua for the deceased after the Janaazah is carried away by the men to the Qabrastaan. Usually one of the women offer the dua and is joined by the rest of the women who listen to the dua. Is this a valid practice in the Shariah?*

A. This is a *bid'ah* practice. Islam does not teach such a custom as these women have invented. Furthermore, it is not permissible for them to raise their voices in any form of *ibaadat*. Hence, they have to make their Salaat silently without *Athaan* and without *Iqaamah*. This customary or *bid'ah* dua which they are offering is not a Shar'i act of *ibaadat*. They have added to the Shariah implying thereby that the Shar'i dua of *Salaatul Janaa zah* is deficient and not sufficient for the mayyit. Whoever wishes to offer dua or any other form of *thawaab* for the deceased may do so individually without giving it any congregational form. Such collective form conveys the impression that the practice is a custom commanded by the Shariah. *Bid'ah* (innovation) is the displacement of the Shariah, hence Rasulullah (sallallahu alayhi wasallam) described the innovators as *keelaabun naar* (the dogs of the fire). May Allah Ta'ala save all Muslims from the cancer and calamity of *bid'ah*.

Q. *Recently, in reply to a pamphlet issued against the Shiahs by some Ulama of Lenasia, a youth organization replying in a local paper, made the following claims:*

◦ *The Ulama are sowing dissension and causing disunity in the Ummah by attacking the Shiahs.*

◦ *The Ulama did not go to Iran "to see first hand what was in fact taking place there".*

◦ *Independent bodies like Mym, Icsa, Muslim Missionary Society and Islamic Propagation Centre have visited Iran and ascertained the Islamic credentials of the Shiahs.*

◦ *It [the youth organization] is receiving all publications from Iran and it has not found any anti-Islamic statements therein nor are there any Shiah attacks on Sunnis in these publications coming from Iran.*

◦ *There is no Shiah-Sunni quarrel today and that Shiahs are welcoming Sunnis as their brothers.*

Please comment and advise the Muslims of South Africa regarding the truth in this matter.

A. From the press-cutting which you have sent, it is manifest that this youth organization is a Shi'i front. It is rearing its head in the Sunni Ummah on the basis of hypocrisy. It is Shi'i in actual fact, but it conceals this hypocrisy. Its callous references to senior Sahaabah of Rasulullah (sallallahu alayhi wasallam) is ample evidence of its Shi'i colours. Reviling the Sahaabah of Nabi-e-Kareem (sallallahu alayhi wasallam) is the cornerstone of Shi'i belief.

In answer to the first claim stated in the question, our comments are:

This type of *dissension* and *disunity* is in fact an *ibaadah*. It is the sacred duty of the Ulama to propagate the *Haqq* even if it brings about *dissension* and *disunity*. In fact, the Ulama unambiguously call upon all Muslim to dissent from the Shiah enemies of Rasulullah (sallallahu alayhi wasallam). The Ulama command in the name of Islam that the Ahle Sunnah do not unite with the Shi'i haters of Rasulullah's (sallallahu alayhi wasallam) Sahaabah. This is a *dissension* and a *disunity* with a difference. It is a *dissension* and a *disunity* which are acts of high merit commanded by the Shariah. Islam does not advocate unity on the basis of acceptance of *baatil*. Islam does not advocate unity with those who detest and revile the Sahaabah. Islam does not advocate unity with those who say that the Sahaabah of Nabi-e-Kareem (sallallahu alayhi wasallam) are the inmates of Jahannum. The Ulama must emphatically propagate this *dissension* and *disunity* with the Shiahs. Rasulullah (sallallahu alayhi wasallam) commanded that Muslims entertain love and hatred only for the sake of Allah Ta'ala. Our *disunity* and *dissension* and hatred for the Shi'i clergy are based on this command. The Shi'i venom against the beloved Companions of Rasulullah (sallallahu alayhi wasallam) is the cause of the Ummah's hatred for Shi'ism. It is not lawful for Muslims to aid and collude with the villains of Shi'ism.

In reply to claim number two, we say:

To ascertain the beliefs of Shi'ism, the Ulama do not have to go to Iran. To ascertain the beliefs of the Ahle Sunnah, no one need go to Makkah Mukarramah or Madinah Munawwarah. The religion of Islam is recorded in innumerable authentic and reliable books of the Deen and innumerable Ulama of the Ahle Sunnah propagate the Islam taught by Rasulullah (sallallahu alayhi wasallam). In the same way, the religion of Shi'ism exists in the books of the Shiahs and in the venom gorged out by the Shi'i priests in their speeches and writings. If the present Shi'i clergy disown those Shi'i books which propagate kufr and hatred for Rasulullah's (sallallahu alayhi wasallam) Sahaabah and if they state their beliefs in contradiction to what Shi'ism has all along been propagating then it will call for an investigation. Then too, there will be no need to go to Iran to ascertain the facts of belief. A simple questionnaire can be sent off to the clergy of the Shiahs for their reply. When the Qabar Pujaari sect accused the Ulama of Deoband of various beliefs of kufr, the honourable Ulama of Makkah Mukarramah and Madinah Munawwarah did not go to India to ascertain the facts. They sent off a list of 26 questions to the Ulama of Deoband for their reply. Upon receiving their reply, the Ulama of the Holy Cities and of the Middle East upheld the Imaan, the Ilm, the Taqwa and the authority of the great Ulama of Deoband. Therefore, if the present Shi'i clergy claim that what we are saying is false and not their beliefs, then they should state their beliefs. But, the fact is that their beliefs are evil, notorious and in diametric opposition to the teachings of Rasulullah (sallallahu alayhi wasallam).

In reply to the third claim, we say:

The bodies mentioned in this claim are all non-entities in so far as the Shariah is concerned. They lack the competence and Islamic qualifications for taking decisions in matters of Imaan and the Shariah. Such modernist and unqualified bodies are minor irritants in the Flesh of Islam. They are like mushrooms sprouting up along the wayside--to be trampled underfoot. They have no Islamic status, hence what they have seen and what they say is of no significance.

In reply to the fourth claim, our comments are:

Regarding the publications: This youth organization being a Shi'i front is merely following the Shi'i hypocritical principle of *Taqiyah* on the basis of which truth can be concealed for the sake of any kind of expediency whatever. In this case the expediency is to sell the wares of Shi'ism, hence it is considered worthy to resort to deliberate falsehood by denying that the Shi'i publications contain anti-Islamic matter. For the information of unwary Muslims who may have been ensnared by Shi'i propaganda, we will reproduce some extracts from the Shi'i publications which both the youth organization and *The Majlis* are receiving in abundance from Shi'i Teheran. The extracts appear on page 12. These reproductions from the books and writings of the Shiahs will conclusively demonstrate the evil of the Shi'i religion. Insha'Allah, *The Majlis* will carry a series of articles to inform the Muslim public of the true position of Shi'ism--that Shi'ism is not of the Ummah--that Shi'ism came into being in opposition to Islam--that Shi'ism is the enemy of Rasulullah (sallallahu alayhi wasallam).

In reply to the fifth claim, our comments are:

In fact, the quarrel between the Shiahs and the Ummah of Islam is only hotting up today. The Shi'i clergy has initiated it by reviling the beloved Sahaabah of Nabi-e-Kareem (sallallahu alayhi wasallam). They have created a situation which is intolerable to the Ulama of the Ahle Sunnah as well as to the Ummah of Rasulullah (sallallahu alayhi wasallam). The venom which the Shi'i clergy is spitting out against the Sahabah and the anti-Imaan beliefs which they are propagating have necessarily to be countered by the Ulama of the

(Continued on Page 12)

شیرز کی شرعی حیثیت

سوال: معاملہ شیرز جو حسب ذیل بالتفصیل مذکور ہے از روئے شریعت کیا حکم رکھتا ہے:

شیرز ایک اصطلاحی لفظ ہے۔ لغت اس کا معنی حصص ہے اور اصطلاح حکومت و کمپنیوں میں شیرز نام ہے حقوق مجردہ مجموعہ کا۔ یہ تعریف اقتصادیات کی تمام قانونی کتابوں میں ملاحظہ مذکور ہے۔ درحقیقت شیرز کا یہی مطلب و مفہوم ہے۔ لہذا مالک شیرز فی الحقیقت چند حقوق و مجرعات کا مالک ہے اور ان حقوق میں سے ایک منافع مستقبل میں سے حصہ کا حق ہے اور وہ کمپنی کے مشرور میں شرکت اور فونڈنگ کا حق۔ فونڈ کے ذریعہ شیرز دار کمپنی کے انتظام میں کسٹومر پر دخل دے سکتا ہے۔ یہ دو اس کے اہم حقوق ہیں اور یہ معاملہ فقط حصول منافع کیلئے منعقد کیا جاتا ہے یعنی مستقبل میں منافع کا کچھ حصہ۔

معاملہ شیرز میں ایک عام غلطی لوگوں کے درمیان شائع ہے کہ شیرز داروں کمپنی میں حصص رکھنا نہیں، البتہ رد کرتے ہوئے اہل قانون اقتصادی اپنی قانونی کتب میں لکھتے ہیں:

”کیا جاتا ہے کہ مالکان شیرز کمپنی کے حصص کا مالک ہیں لیکن شیرز داران یا ممبران کمپنی نہ کمپنی کے مال و منافع کا مالک ہیں اور نہ انکو کمپنی کے راس المال میں کسی قسم کی ملکیت حاصل ہے۔ راس المال اور مال و منافع سب کمپنی کے ذاتی ملک ہیں۔ شیرز دار تو محض مالک ہے چند حقوق کا (اس مجموعہ حقوق کو شیرز کہتے ہیں)“

تشریف بالا کے روئے کمپنی کے مفروضہ جاری ہیں اور حکومت بھی کمپنی کے ان حقوق کو جو نافذ کرنے کے لئے ہر وقت تیار و مکمل ہے۔ جن لوگوں نے شیرز خریدے ہیں انہوں نے کبھی بھی کمپنی کے سامان و راس المال میں ملکیت کا دعویٰ نہیں کیا اور نہ آئندہ ایسے دعویٰ کر سکتے ہیں اسلئے کہ وہ خود مانتے ہیں کہ بمطابق قانون ہم نے کمپنی کے حصص کو خرید لیا ہے بلکہ عقد میں بیع تو حقوق حصہ تھا اور انہیں کو شیرز کہلاتے ہیں۔

اس سے یہی معلوم ہوا کہ شیرز کو لغت حصہ کہتے ہیں لیکن مراد (اصطلاح میں) منافع مستقبل میں سے حصہ نہ کمپنی کے حصص۔

یہ بھی ملحوظ رہے کہ قانون اقتصادی کے لحاظ سے کمپنی کی حیثیت ایک مستقل ذات کی ہے یعنی کمپنی کو ذاتی حیثیت حاصل ہے اور اس کے کوئی مالک نہیں ہے البتہ تالیس حضرات ہیں جنکو آرٹیکل یا منٹینس کے تحت مقرر کیا گیا ہے اور لوگ تنخواہ یا کرکٹ کے انتظام و اہتمام کو قائم رکھتے ہیں، تنخواہ کمپنی کے منافع میں سے لیتے ہیں۔ لیکن یہ مالکان کمپنی نہیں۔ کمپنی کا کوئی مالک نہیں بلکہ بالاستقلال وہ مالک خود ہے (ہر حکومت اقتصادی قانون کو نافذ کرتی ہے)۔ یہی وجہ ہے کہ کمپنی کے مال میں اگر ادا دین کی استطاعت نہ رہی تو فرخو انہوں کو شیرز داران یا آرٹیکل کمپنی سے مطالبہ کا کوئی حق نہیں۔ اسی طرح اگر آرٹیکل یا شیرز داران اپنے ذاتی معاملات میں تضرار ہو گئے تو ان کے دین کی ادائیگی کیلئے کمپنی کے مال میں سے کچھ بھی نہ لیا جاسکتا۔ گو شرع شریف میں یہ بات بالکل ناقابل اعتبار ہو لیکن حکومت کفارہ قوانین کے اعتبار سے یہ واقعی امر ہے اور آرٹیکل کمپنی کے کفارہ میں مسلمان ان میں کوئی نہیں۔

معاملہ شیرز کے سبب جو چیزیں احکام ہیں:

یہ معاملہ لفظ بیع سے منعقد کیا جاتا ہے یعنی ان حقوق مجردہ کی بیع ہوتی ہے، دلال واسطے سے کمپنی کے شیرز خریدی جاتی ہے شیرز خریدنے کے بعد شرعی ایک رسید ملتی ہے جو اس بات پر شاہد ہے کہ مالک شیرز کمپنی کے آئندہ منافع میں حصہ کا حقدار ہے گو باکہ یہ رسید ایک سند وثوق ہے لیکن آئندہ منافع سے مراد منافع مستقبل، مطلب اسکا یہ ہے کہ حکومت کے قوانین کی بدولت اگر کمپنی کے عقود و معاملات میں (تمام عقود و بیع ہیں) کسی وقت نفع ہو جائے تو آرٹیکل کو اعلان منافع نہ کرنے کا پورا حق ہے اور یہ اسلئے ہوتا ہے کہ بعض دفعہ آرٹیکل اس منافع کے ذریعہ

سامان و اسباب یا اور کسی چیز میں اضافہ کرنا چاہتے ہیں یا اور کسی بنا پر شیرز داروں پر بذریعہ اعلان منافع کو ظاہر نہیں کرتے ہیں یا پھر انہیں وجوہ بنا پر عدم تقسیم نفع کا اعلان کرتے ہیں ان سب صورتوں میں شیرز داران کو طلب نفع کا کوئی حق نہیں یعنی منافع میں اپنا جو حق ہے اسکو طلب نہیں کر سکتے ہیں۔ البتہ جسوقت وہ اعلان کریں کہ مثلاً اتنے منافع زیر تقسیم ہیں تب تو نام شیرز دار اپنے نفع کا مطالبہ کر سکتے ہیں اور اب حکومتی قانون کے روئے انکو منافع میں حصہ کا حق ہے تو اگرچہ شیرز دار نے شیرز خریدنے وقت منافع مستقبل میں حصہ کا حق خرید لیا ہے لیکن لفظ منافع اس فقرہ میں علی الاطلاق نہیں ہے بلکہ مقبہ اعلان ہے یعنی مستحق نفع جب ہوگا جسکا آرٹیکل کمپنی تقسیم نفع کا اعلان کریں۔ اس سے پہلے نہیں۔ فلہذا معلوم ہوا کہ شیرز دار کا جو حصہ ہے وہ تو منافع مستقبل میں سے حصہ، غیر محض نہیں چاہے فی الحقیقت یہ منافع کا حصول بھی ہوا ہو لیکن وجوہ مذکورہ بنا پر زیر تقسیم نہ ہو۔ غیر محض منافع تو کمپنی کے راس المال اور ملکیت شمار کیا جاتا ہے جو کمپنی کی استقلالی ذاتی حیثیت کا ذکر نہ کرنا۔

شیرز خریدنے کے بعد دی ہوئی رقم (بجوز شیرز) اب واپس نہیں مل سکتی نہ اس معاملہ کا فسخ عند حکومت و التجار روا ہے۔ البتہ شیرز دار اپنی شیرز کو غیر ضرورت کر سکتا ہے۔ اب اس غیر ضرورت پر شیرز دار کو صرف اپنی شیرز منافع میں سے حصہ کا مستحق وہی ہوگا۔ کسی غیر ضرورت پر شیرز فروخت کرنے میں بھی بیع دہی حقوقی مجزہ ہوتا ہے جو اولاً کمپنی سے خرید لیا گیا، اب وہ مجموعہ حقوق اس مشتری ثانی کے نام منتقل ہو جاتا ہے مالک شیرز کو کمپنی کے راس المال میں کسی قسم کی ملکیت حاصل نہیں۔ اسی طرح شیرز دار کمپنی کے سامان و منافع میں بھی ملکیت نہیں رکھتا۔ کسی تادیل سے بھی مالک شیرز کو حقیقت کمپنی کے راس المال و مال و منافع میں ملکیت حاصل نہیں ہو سکتی۔ ماضی میں بھی لکھا ہے کہ شیرز داران سے کمپنی کے دین کا مطالبہ نہیں کیا جاسکتا اور نہ کمپنی سے شیرز داران کا دین طلب کیا جاسکتا۔ کمپنی کو اگر کوئی خسارہ یا ٹوٹا لاحق ہو جائے تو شیرز دار کو صرف اپنی شیرز کی قیمت کا نقصان ہوتا ہے اس سے زیادہ نہیں کیونکہ راس المال میں اس کا کوئی حصہ ہی نہیں۔ شیرز بدلہ میں جو رقم دی تھی وہ ملک سے نکل چکی کامینا۔ اور کمپنی کا ٹوٹ جانا کثیر الوقوع امر ہے۔

کمپنی کے آغاز و ابتداء رہا اور باطل عقود سے ہی ہوا ہے۔ ابتدا کی تفصیل یہ ہے کہ اولاً حکومتی قانون تحت ایک کمپنی قائم ہوئی۔ تجارت وغیرہ کرنے سے پہلے کمپنی کے پاس روپیہ کچھ نہیں تھا لہذا کاغذ بار جاری کرنے کیلئے پیسے کی ضرورت ہوئی تو تحصیل فلس کیلئے کمپنی نے حقوق کی بیع شروع کر دی کہ تجارت کا کاروبار کرنا غیر نفع مستقبل میں حاصل ہوگا (کیونکہ ابھی تک تو کسی قسم کی تجارت شروع نہیں ہوئی) اس نفع میں سے حصص بیچنے لگی، مثال کے طور پر زید کو تجارت کیلئے پیسے کی حاجت ہے، وہ عروس یوں کہتا ہے کہ میں تجارت کروں گا اور امیر جس منافع مستقبل میں حاصل ہوگا اس میں سے آپ دسواں حصہ بیچے گا۔ سو زید بدلتا ہے کہ میں خرید لیجئے مثلاً۔ عروس قبول کر لیا اور زید کو یا پچیس روپیہ دیدیا۔ زید اس سے اب تجارت وغیرہ شروع کر دیتا ہے۔ ایک سال بعد کچھ نفع ہوا، امیر دسواں حصہ عروس کو دیدیا۔

لیکن شروع عقد میں یہ تعین ہونی بین المتعاقدين کہ عروس کو زید کی تجارت میں کسی قسم کی ملکیت حاصل نہیں اور نہ راس المال میں اور جو رقم عروس دے دے (مستقبل منافع کے دسواں حصہ عروس میں) وہ انکی ملک سے نکل گئی، البتہ زید کا کوئی حق نہیں۔ نہ عروس زید کا دین طلب کیا جاسکتا اور نہ زید سے عروس کا۔ یعنی یہی مثال ہے معاملہ شیرز کی جو تمام کمپنیوں میں رائج ہے۔ یہ بھی پیش نظر ہو کہ کمپنی میں سودی معاملات امیر لایہ ہے۔

خلاصہ یہ ہوا کہ شیرز دار کی حیثیت فی الحقیقت مشتری ہو سکتی ہے۔ اس نے آئندہ منافع مستقبل میں حصہ خرید لیا ہے اور یہ حصہ ان حقوق مجردہ میں سے خرید لیا جاتا ہے۔ نہ تو شیرز دار کمپنی کے جزویاں مالک ہے اور نہ راس المال میں یا مال و منافع میں اسکی کو شرکت یا ملکیت ہے۔ نہ وہ دینی کمپنی کے خمدار ہے اور بالعکس۔

آیا یہ عقد شرعی شرکت میں داخل ہو سکتا ہے یا نہیں؟ نیز جو اپنے عقد کیلئے تادیل شرکت کی گئی ان میں لوگ یا نہیں؟ اور جو قبل العلم اس میں مبتلا ہے وہ زکوٰۃ کس چیز پر ادا کرے گا؟ خریدی ہوئی شیرز پر یا اسکی بازاری قیمت پر؟ (بازار صرافہ میں) یا کمپنی کے مال و منافع پر یا فقط کمپنی کے حاصل شدہ منافع پر بعد حلال ہونے؟

جواب:۔ معاملہ شیرز جو سوال میں مذکور ہے بلا شک و شبہ باطل و حرام ہے۔ اسکو تادیل شرکت ماننا ضروری ہے کیونکہ گنہگار نہیں اسلئے کہ عقد شرکت کی جو شرطیں ہیں وہاں مفقود ہیں۔ شیرز کا فلاحہ حقوق مجردہ کی بیع و شرا ہے اور عام کتب فقہ میں حقوق حصہ کی بیع و شرا کو ناجائز قرار دی گئی ہے۔ پس جب بیع باطل ہوئی تو مستقبل میں جو نفع حاصل ہوگا وہ غیر حلال اور ناجائز ہے، اس میں شیرز دار کی ملکیت ثابت نہیں ہوگی۔

نیز اس معاملہ میں تعاون علی العیبت ہے جو کہ نص قرآنی حرام ہے۔ شرکت کی جتنی ہی اقسام ہیں ان میں سے کوئی بھی اس معاملہ پر (تعاون) صادق نہیں آتا۔ الغرض یہ تو کسی عقد شرعی میں داخل نہیں ہے۔

زکوٰۃ کس چیز پر ہی فرض نہ ہوگی۔ نہ شیرز پر یا شیرز کی بازاری قیمت پر اسلئے کہ شیرز نہ تو مال ہے اور نہ کسی مال سے وابستہ ہے، محض چند حقوق ہیں۔ مستقبل میں جو نفع حاصل ہوگا اس پر ہی زکوٰۃ نہیں ہوگی مال حرام ہو سکتا ہے نہ شرکت غلط مال حلال نہ ہو جائے۔ اپنی شیرز بیچ کر جو رقم حاصل ہو اس پر ہی زکوٰۃ نہ ہوگی عیم ملک بنیاد بیع الباطل لایہ مالک اور نہ کمپنی کے راس المال پر زکوٰۃ ہوگی کہ اس میں شیرز دار کی ملکیت ہی نہیں۔

فقط واللہ تعالیٰ اعلم بالصواب

احقر سراج احمد افریقی غفرلہ

بسم اللہ الرحمن الرحیم
مکتبہ مال فروری ہے وہ بھی بظہر النہار شرعاً حرام و حلال
جن مہر نوں میں بہت حاصل ہے ان میں زکوٰۃ واجب ہے
جن مہر نوں میں حکم ہے ان میں زکوٰۃ واجب نہیں۔

کتبہ البحر بحی ثلث
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بسم اللہ الرحمن الرحیم
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دعوتی اس خیال کے آکر اس
سوال کے لیے ہو گیا صرف جواب
یہی لا۔ یہی لا۔

SHIRK

"Shirk" means to associate anyone or anything in the worship or in the special and exclusive attributes of Allah Ta'ala. The highest and worst form of shirk is to include another being or object within the "Person" of Allah Ta'ala or to raise or regard anything besides Him as worthy of worship, e.g. the belief in trinity, the belief in idols. Association or shirk in the Attributes of Allah are, for example: Shirk fil Quadrat - the attribution of Allah's Quality of Quadrat (or Power) to anything else. For example, to believe that any being besides Allah Ta'ala also has the power to create, give life, cause rain, etc. Shirk fil Ilm is the attribution of Allah's All-embracing and All-encompassing Knowledge to anyone or anything else. For example, to believe that a Nabi or a Wali has knowledge of the Unseen like Allah Ta'ala has. Shirk fil Hukm or to attribute Allah's Attribute of Decree or Command to another. For example, to render obedience to a saint or any other being like one would do for Allah Ta'ala. These are some forms of Shirk. There is no greater crime than the commission of shirk.

BID'AH

"If you do an act without the command of Rasulullah (sallallaahu alayhi wasallam) it will be sin and not Ibaadat even if it be in the form of Ibaadat."
(Imaam Ghazaali)

BID'AH

"We are followers (of the Sahaabah) and not innovators. We adhere to that which our predecessors (the Sahaabah) adhered to."
(Hadhrat Allaamah Ibnul Haaj)

The production of a large family is a source of pride for a Muslim because Rasulullah (sallallaahu alayhi wasallam) has exhorted this increase so that he will take pleasure to observe the multitudes of his Ummah on the Day of Qiyaamah.

MEANING OF RAHN

The Qabar Pujaari (Grave-worshipping) sect claims that the Qur'anic phrase (Rahmatal lil 'alameen) is a title which Allah Ta'ala has bestowed exclusively upon our Nabi-e-Kareem (sallallahu alayhi wasallam). They assert that the appearance of the phrase in question in the Qur'aan Shareef is in the capacity of a title for Rasulullah (sallallahu alayhi wasallam) and that all those who do not accept this belief of their sect are kaafirs.

If it were not for the excesses which the grave-worshippers have committed regarding matters of belief (Aqā'id) under the name of Islam, we would not have bothered to refute the fallacy of their concocted belief. However, their branding as kaafir some of the greatest Ulama, Savants, and Auliya of Islam for not subscribing to their baseless belief, coupled with their sowing of confusion by deception and deliberate falsehood among the rank and file of the Ummah necessitate a refutation so that the pernicious propaganda of darkness of this errant sect may be adequately dispelled and ordinary Muslims understand the reality and corruption of the thinking of those who have made grave-worshipping a source of livelihood by conning a gullible public to pay for a variety of fraudulent practices raised in the name of religion.

In peddling this particular fallacy of the belief that Rasulallah (sallallahu alayhi wasallam) is the ONLY Rahmatul lil alameen, the Qabar Pujaaris have made Hadhrat Maulana Rashid Ahmed Gangohi (rahmatullah alayh) the target for their vituperation and venom. In answer to a question posed to him, Hadhrat Maulana Gangohi (rahmatullah alayh) said that the phrase **Rahmatul lil alameen** رحمة للعالمين is not the exclusive attribute of Nabi--e-Kareem and that the phrase could be applied for other Ambiyā, Auliya and Sulahā. In his answer Hadhrat Maulana Gangohi (rahmatullah alayh) made it very clear that Rasulallah (sallallahu alayhi wasallam) is the highest of all those in whom the attribute of رحمة للعالمين exists. The Qabar Pujaaris without having the slightest Shar'ī proof or argument to negate the answer of Hadhrat Gangohi (rahmatullah alayh), branded this great and illustrious Alim of the Deen as a kaafir.

It must be borne in mind that matters pertaining to belief (aqā'id) are not based on personal opinion and fancy. Belief is the product of Wahi (Revelation). Belief is established by the categorical proofs of the Shariah. Therefore, if someone comes up with a belief or an opinion and seeks to implant such opinion as an Islamic belief, it will not be acceptable regardless of the niceties, logic and appeal which such opinion may exercise. Hence if someone formulates a belief that the universe including the heavens (i.e. the physical Samāwāt) are being maintained in their magnificent order and operation by Hadhrat Ghaus Paak (rahmatullah alayh), then we will call for categorical Shar'i proof for such belief. Even if such a belief may seem appealing to persons with inclinations of grave-worshipping and even if such a belief may be logically feasible and in demonstration of the high rank of Hadhrat Abdul Qadir Jilani (rahmatullah alayh), nevertheless, we will reject it as being outright baatil and un-Islamic in that the belief is not the product of the teaching of Rasullullah (sallallahu alayhi wasallam). Thus, if anyone rejects this belief about a human being sustaining the universe, he cannot be branded as a kaafir. This what we have just said regarding the belief centering around Hadhrat Ghaus Paak (rahmatullah alayh) is a belief propounded by the Qabar Pujaari sect. We have here merely cited it to demonstrate the argument that belief or aqeedah is a matter or product of the strongest category of Shar'i proof and not a matter of opinion nor a matter of ijtihaad. Similar is the case with the belief which the Qabar Pujaari sect is propounding about the Qur'ānic phrase, Rahmatul lil aalameen, in regard to Rasullullah (sallallahu alayhi wasallam).

Now when Hadhrat Maulana Rashid Ahmad Gangohi (rahmatullah alayh) said that the capacity of **rahmat** is not exclusive to Rasulullah (sallallahu alayhi wasallam) , he merely stated a fact and a Shar'i reality, for in Islam there exists no belief regarding **Rahmat** being the exclusive attribute of Nabi-e-Kareem (sallallahu alayhi wasallam) to the exclusion of the other Am biya and Aulia. Those who assert such a belief are bound to furnish their Shar'i evidence in substantiation. They must as a necessity establish at what point in Islamic history did this belief become incorporated among the Aqā'id of Islam and on what authority. They cannot put forward their grave-worshipping fancies and inclinations and attempt to accord these the highest status of the Shariah.

The grave-worshippers possess absolutely no understanding of the Qur'anic phrase and all their disputations in this regard exhibit their total ignorance of the Ilmi principles of the Shariah. In pursuit of their despicable motives they assert that **Rahmatal lil aalameen** is an attribute belonging exclusively to Rasulullah (sallallahu alayhi wasallam) and that any contrary view is kufr. As has been said earlier that this belief finds absolutely no sanction in Islam. Neither Rasulullah (sallallahu alayhi wasallam) nor the Sahaabah ever propounded this belief. It never was part of the Shariah at any time. But, in this century the sect of grave-worshippers has incorporated it into the Deen as a fundamental article of faith, without which one remains a kaafir. None of the Sources of the Deen, viz., Qur'an, Sunnah, Ijmá and Qiyás uphold this fallacious belief of the Qabar Pujaaris. In addition to absolute non-existence of Shar'i proof for the fallacious belief of the grave-worshippers, the belief is incompatible with aql (intelligence) in that **rahmat** is not a confined concept restricted to a single person. **Rahmat** in the true and highest state is the attribute of Allah Ta'ala Who apportions it out quantitatively and qualitatively--in amount and degree--to whomever He desires. The Nusoos (clear proofs of narration) of the Shariah exist in abundance establishing the fact that the other Ambiyá and Auliya were also repositories of **rahmat** for creation although in a lesser degree and capacity than that of Rasulullah (sallallahu alayhi wasallam).

Leave alone the Ambiyá and the Auliya, even inanimate objects also constitute rahmats in their various respects, degrees and capacities. Thus we see the wind, air, water, the animal kingdom, the plant kingdom, etc. all beings favours and mercies of Allah Ta'ala. All creation derives benefit from the great rahmat of Allah Ta'ala, which He sent in the form of air, water and food. Thus to deny that these objects are rahmats of Allah Ta'ala on creation (on the aalameen) is to show ingratitude unto Allah Ta'ala and to deny that it is day while the sun is shining. Without any reflection or deep thought every man's aql will bear testimony to the fact that all creation of Allah Ta'ala constitute a rahmat for the aalameen (creation or the various species and kinds of creation.). However, each one has its own degree of the attribute of rahmat. In saying that all creation of Allah Ta'ala is a mercy for the aalameen, no denial of the attribute in the highest degree for Rasulullah (sallallahu alayhi wasallam) is being implied. Like the attribute or capacity of Nubuwwah was not exclusive with Rasulullah (sallallahu alayhi wasallam), so too the attribute of rahmatil lil aalameen is not exclusive to our Nabi (sallallahu alayhi wasallam). Like Wahi was not exclusive with Rasulullah (sallallahu alayhi wasallam) so too is the attribute of rahmat. All these capacities and attributes are common to all the Ambiya (alayhimus salaam) although it is categorically asserted that their presence in Rasulullah (sallallahu alyhi wasallam) is in the highest degree.

Hadhrat Nabi Sulaiman (alayhis salaam) was a Nabi whose Nubuwwah and kingdom extended over the entire world even over the kingdom of the jinn, animals, birds and fishes. His guidance was for all species of creation. Was he then not a Mercy unto creation to the aalameen? It is only brains gripped by the evil of grave-worshipping-- a mentality rendered crooked by the cancer of qabar puja--which will deny this incontrovertible truth.

What is the meaning of **Rahmatal lil aalameen**? Let us refer to the great authorities of the Deen for the answer. We shall refer to those illustrious authorities of the Shariah who are unanimously accepted by all parties, including the Qabar Pujaari sect. The greatest of all Mufasssireen, Hadhrat Ibn Abbás (radiallahu anhu) who obtained his knowledge of the Qur'an from

Rasulullah (sallallahu alyhi wasallam), explains the phrase **Rahman** way:

وما ارسلناك

: And, We have not sent y

الأرحمة

:But as a mercy (saving 1

للعالمين

:For the worlds (of jinn and angels) are in you. And it is said as a
(Tanweerul Miqbas)

Ibn Katheer in the tafseer of this áyat, explains:

"Allah Ta'ala informs that He has made Muhammad (sallallahu 'alayhi wa 'al-his-salam) a mercy for the worlds, i.e. He sent him as a rahmat to the worlds. Whoever accepts this mercy and appreciates this bounty is rewarded in this world and in the hereafter. Whoever rejects it and denies it is punished in this world and the hereafter.

'It was said (by someone): O Rasulullah! Curse the mushrik
I have not been sent to curse. Verily I have been sent on

Also in the tafseer of this áyat, Ibn Katheer cites the following (radiallahu anhu):

"Rasulullah (sallallahu alayhi wasallam) said: Verily, I am a

Tafseer Baidháwi explains the áyat as follows:

"(He was a mercy for the worlds)because that (Shariah) which he sent to him (Nabi--sallallahu alayhi wasallam) is the cause of their development, progress, rectitude in this world and the next. The next said that the meaning of Rasulullah (sallallahu alayhi wasallam) is a mercy to the kuffar is the fact that henceforth they are protected from punishment (punishment of Allah by means of which faces are obliterated) total obliteration (by means of natural calamities as was the case of former times, e.g. Aad, Thamud, etc.)."

Tafseerul Mazhari explains the áyat as follows:

"The term **rahmatan** in the mansoob state (i.e. grammatical case).....i.e. We (Allah) have sent you (Muhammad) because of man and jinn. We have sent you so that they obtain grace from you...."

In the tafseer of this áyat, Mazhari also cites the following had recorded in Sahih Bukhári:

"Verily, I have been sent only as a mercy and not as a punishment."

Many other authentic and authoritative books of Tafseer report not a single authority claimed that:

- * **Rahmatal lil aalameen** is the exclusive attribute of Rasu
- * **Rahmatal lil aalameen** is used in the Qur'án Shareef in the (sallallahu alayhi wasallam).
- * The phrase **Rahmatal lil aalameen** cannot be employed for Rasulullah (sallallahu alayhi wasallam).
- * The meaning of **Rahmatal lil aalameen** even in lesser degrees is Ambivá (alayhimus salaam).

If it was a belief of Islam that the words **Rahmatal lil aalame** (sallallahu alyhi wasallam) and that it is kufr to use it for the other, even by way of interpretation, then the authorities of the Sharia expounded such a belief and it would not have been left to grave idolatry, bowing, prostrating to graves and kissing the graves in the manner of the Hindus and Bhuddists, to come and propagate such an innovation and thus raising the standard of salvation.

From all the authentic tafseer of the áyat it emerges very clearly (alayhi wasallam) attribute or capacity of **Rahmat** comprises guidance. Rasulullah (sallallahu alayhi wasallam) existed in the highest degree of words no created being enjoyed this capacity in higher measure (alayhi wasallam). **Rahmat** for the worlds of creation flowed in the greatest measure (alayhi wasallam). But, this capacity of **Rahmat** in Nabi-e-Kareem (sallallahu alayhi wasallam) does not negate the degree and measure for the other Ambiyá (alayhimus salaam). With the capacities of guidance of all the other Ambiyá (alayhimus salaam) say that the other Ambiyá (alayhimus salaam) did not appear on mankind? Can any man of aql claim that the guidance of the Ambiyá constitute **Rahmat**? Yes, it can be said that while Rasulullah (sallallahu alayhi wasallam) existed on this earth in the capacity of only **Rahmat**, the other Ambiyá (alayhimus salaam) also possessed the capacity of **Rahmat** as well. They possessed the capacity of **Rahmat** as well as words, at times Allah Ta'ala commanded the other Ambiyá (alayhimus salaam) signifying thereby the imminent destruction of the transgressor. For example, find Hadhrat Nabi Nooh (alayhis salám) cursing the kuffár in the

"(O Allah!) Do not leave on earth a single kaafir walking
If You leave any of them, they will give birth to none

Similarly, the Qur'aan Shareef reports that Bani Isrá'il was cursed (alayhis salám). However, their capacity of La'nat does not nullify the Qabar Pujaari sect suggests by stupidly claiming that the **only** source of Rahmat is Rasulullah (sallallahu alayhi wasallam). Such a fallacious argument the nusoos on the subject and canno't find the slightest vestige of the principles of the Shariah.

The meaning of the áyat should now be clear to all men of aq (sallallahu alayhi wasallam) came in the capacity of **Rahmat** only who denies this truth that all the Ambiyá (alayhimus salaam) we

RAHMATUL LIL AALAMEEN



tal lil aalameen in the following

ou (O Muhammad!)

from punishment)

id man--those who accepted
a ni'mat (bounty).

ahu alayhi wasallam)
nem all. Therefore,
fortunate in this
it, is lost in this this

een. He replied:Verily
ly as a mercy."

hadith narrated by Abu Hurairah

mercy and a guide."

ich was sent with
(man and jinn)
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t the same tafseer of this ayat, but

ullah (sallallahu alayhi wasallam).

e capacity as a title for Rasulullah

anyone or any Nabi other than

ree is negated from all other

en are exclusive for Nabi-e-Kareem
her Ambiyá (alayhimus salaam)
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e worship fashioned along the lines
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learly that Rasulallah's (sallallahu
nce and salvation. This capacity in
ree in relation to creation. In other
than Rasulallah (sallallahu alayhi
test and highest measure from
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e capacity or attribute in lesser
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biyá (alayhimus salám) did not
sallallahu alayhi wasallam) came to
ayhimus salám) possessed other
ell as that of La'nat. In other
yhimus salám) to curse the kuffar,
's. Thus in the Qur'an Shareef we
e following words:

ng (alive).
e but kuffar."

ed by Nabi Isa' and Nabi Dawood
y their capacity of Rahmat as the
capacity and repository of Allah's -
us claim is in contradiction to all
of substantiation in any of the

pl. The ayat means that Rasulallah
and not as the **only Rahmat**. O ne
are mercies to creation although in

a lesser degree than Rasulallah (sallallahu alayhi wasallam), is blind to reason, ignorant of the Quran and a fabricator of beliefs which the Deen never propagated. The Qur'aan-e-Kareem categorically affirms the attribute and capacity of **Rahmat** for the Ambiyá (alayhimus salám). Some such ayat will be cited here.

* The Qurán Shareef states the words of Hadhrat Nooh (alahis salám) which he delivered to his people:

"And, He (Allah) has awarded me **Rahmat** from His side."
(Ayat 28, Surah Hood)

Hadhrat Nabi Sálíh (alayhis salám) said to his nation:

"And, He (Allah) bestowed to me **Rahmat** from His side."
(Ayat 63, Surah Hood)

About Hadhrat Khidhr (alayhis salám), Allah Ta'ala says:

"Thus they (Nabi Musá and his companion) found a slave among
our slaves whom We had granted **Rahmat** from Our side."
(Ayat 65, Surah Ra'd)

About Nabi Isá (alayhis salám), the Qur'án says:

"And, so that We make him a sign unto mankind and a **Rahmat** from Us."

About the bond between husband and wife, the Qur'án Shareef states:

"And, We created between you love and **Rahmat**."
(Ayat 30 Surah 21)

The Qur'án-e-Hakeem describes even the inanimate objects of Allah's creation as respositories of Rahmat. Regarding the wind, the Qur'án states:

"And, it is He Who sends the winds as bringers of goodness from
the side of His **Rahmat**."
(Ayat 99, Surah 9)

About night and day, the Qur'án-e-Kareem states:

"And of His **Rahmat** has He made for you night and day...."
(Ayat 73, Surah 28)

Describing the rain as **Rahmat**, the Qur'án Shareef states:

"And, it is He Who lowers the rain after they have lost hope,
and He spreads His **Rahmat**."
(Ayat 27, Surah 42)

From the foregoing discussion it will be abundantly manifest that numerous units of creation--animate and inanimate; Ambiya as well as non-Ambiyá; Rasulallah (sallallahu alayhi wasallam) as well as the other Ambiyá (alayhimus salám) -- all share in the attribute of **Rahmat** which Allah Ta'ala apportions to the various beings and objects of creation in accordance with His Will and commensurate with the rank which He bestows on them. In spite of the multitude of participants in the **Rahmat** of Allah Ta'ala, it is undeniable that the highest repository of Allah's **Rahmat** is Rasulallah (sallallahu alayhi wasallam) while at the same time it is undeniable that others too are repositories of this capacity of **Rahmat** which cascades from the Divine Being. Hence, we are told by the Qur'án Shareef that even the wind, the rain, night and day, etc. are all **Rahmats** and it will be manifestly clear that these creations, i.e. sun, wind, moon, night, day, rain, food, etc., are all **Rahmats for the aalameen** (for the different worlds or kingdoms of creation). These natural bounties which Allah Ta'ala describes as **Rahmat**, are not restricted to only man or to only Muslims, but all creation derive benefit from these objects of wide **Rahmat**. It requires no aql and no insight to understand and comprehend this obvious fact. If the air and the rain and the sun can be bounties and **Rahmats** for the worlds, why can the Ambiyá and the Auliya not be **Rahmat for the worlds**? In the face of the huge evidence of the Shariah and Intelligence establishing this reality, the claim of the grave-worshippers has absolutely no foundation.

From the various Tafaseer of the Qur'án-e-Hakeem it will be seen that the term **المالين** in the ayat in question has been explained by all authorities as a reference to mankind and jinns. Rasulallah (sallallahu alayhi wasallam) is then a **Rahmat** for mankind and jinns. This is not our conclusion. It is the clear and categoric tafseer of the ayat presented by the authorities of the Shariah. In the same way although in lesser degree, Nabi Sulaimán (alayhis salaam) was also sent as the Nabi and Guide to mankind and jinns. The Qur'aan is explicit in stating this. Even the bird and the animal kingdom were under the domination and guidance of Nabi Sulaimán (alayhis salám). Only Qabar Pujaaris will deny this comprehensive and wide **Rahmat** which Allah Ta'ala bestowed to Hadhrat Sulaiman (alayhis salám). Was Nabi Sulaimán (alayhis salám) then not a **Rahmat lil aalameen** by virtue of his mission of Nubuwwat and Hidaayat to mankind and jinns? Only grave-worshippers will deny this Qur'anic truth.

The phrase **رحمة للمالين** which appears in the ayat is a statement conveying information. It does not appear as a title or designation. It merely means that Allah Ta'ala has sent Rasulallah (sallallahu alayhi wasallam) in only the capacity of **Rahmat** and not in the capacity of **wrath or la'nat**. There is absolutely no indication, explicit or implied, for claiming that the words are a title conferred exclusively on Rasulallah (sallallahu alayhi wasallam). If this was indeed so, the great and illustrious authorities of the Deen, the **Sahaabah** and the **Taabieen**, would have long ago have asserted it and would not have left this task of **Imán** to the eliminators of Imán, viz., the Qabar Pujaari sect of our time.

The grave-worshippers claim that the phrase **Rahmatul lil aalameen** is the exclusive title of Rasulallah (sallallahu alayhi wasallam) because this phrase in the manner in which it is used in the Qur'aan Shareef appears only in context with Rasulallah (sallallahu alayhi wasallam). In other words, the phrase in the Qur'án is used for only Rasulallah (sallallahu alayhi wasallam). But this is no proof whatever for formulating a belief-- a matter of aqeedah-- which requires categoric Shar'i proof of the highest category. If such points of individual opinion are accorded the rank and basis on which to formulate aqidah, then tomorrow the grave-worshippers will come up with another belief and the day thereafter with another and so on, just like they have been doing all along. Hence the islam of the Qabar Pujaari sect consists of a hotch potch of idolatrous rituals, customs of singing and shouting, merrymaking and feasting, drugs and prostitution as is evident at their urs festivals. A phrase or statement appearing once in a specific manner in the Qur'an Shareef is no Shar'i principle upon which to base a law or belief. Let us consider the following ayat of the Qur'an-e-Kareem:

(Continued on Page 8)

REVERENCE

OF

QIRAAT

The Quraan is the Word of Allah Ta'ala, hence Islam has instructed Believers to accord the utmost of reverence and respect to it. When it is being recited then it is our duty to maintain silence and listen to the Words of Allah. The Glory and Dignity of the Quraan do not permit that it be recited in places of public entertainment and amusement, and places where generally people are engaged in activities which divert and distract their attention from listening to the Quraanic recital. Hence, the recitals on tapes being played in shops and in other business places where people are not listening to the recital is not permissible.

If the Qiraat on the tape is being played to a group of people, then all should maintain silence and listen to the recital. It is not permissible to leave the tape playing while the "listeners" are engaging in conversation. Diverting one's attention from the recital is a gross insult against the Quraan of Allah Ta'ala.

Another abominable practice initiated recently is giving simultaneous translation of the recital. A tape recording of Qaree Baseet's Qiraat was recently purchased by a brother who found that while the recital is in progress an English translation of the verses is simultaneously proffered. This is indeed a mockery of the Holy Words of Allah Ta'ala. Neither is it possible to listen to the Qiraat nor to the translation since both are rendered together with the aggravating factor of the English translation being presented more lucidly and commanding greater attention than the Qiraat which is presented as second fiddle. This practice is clearly forbidden. Muslims should not support this type of insulting practice - insulting to the Quraan. Trade in such tapes which make a mockery of the Quraan Shareef should be discontinued.

Reciting the Quraan Shareef as well as listening to the recital are acts of Ibaadat, and as such, they have to be accorded the due respect and reverence.

ISAA (alayhis salaam)

Imam Hasan Bisri narrates the following authentic Hadith regarding the "Nuzul" of Isaa (alayhis salaam) from the Heavens to the earth:

"*Rasulullah (sallallahu alayhi wasallam) said to the Jews: Verily, Isaa did not die. Verily, he will return to you before the Day of Qiyaamah.*"
(Muhaddith Ibn Abi Haatim and Muhaddith Ibn Jareer Tabari)

(Continued from Page 7)

RAHMTUL LIL ALAMEEN

و ما رسلناك الا مبشرا و نذيرا

Wa maa arsalnaaka illaa mubash shiran wa natheeran

"We have not send you (O Muhammad!), but as a bringer of glad tidings and as a warner."

This áyat has the exact grammatical construction as the áyat:

و ما رسلناك الا رحمة للعالمين

Wa maa arsalnaaka illaa rahmatal lil aalameen

"We have not sent you (O Muhammad!) but as a mercy to the worlds."

If it is asserted on the basis of this áyat that Rasulullah (sallallahu alayhi wasallam) is the only Rahmat for the aalameen, then on the very same basis should be claimed that Rasulullah (sallallahu alayhi wasallam) is the only **mubashshir and natheer** (bringer of glad tidings and a warner). But the Qabar Pujaari sect cannot venture this claim because in other áyat of the Qur'aan-e-Kareem, the other Ambiyá (alayhimus salám) are described also as **mubashshir and natheer**. Thus the grammatical construction of the áyat in question offers the grave-worshippers no refuge for their fallacious claim.

Just as the words **mubashshir and natheer** in the aforementioned áyat do not appear in the capacity of titles or designations, so too, the phrase **Rahmatal lil aalameen** does not appear in the Qur'aan-e-Kareem as a title.

Let us consider the áyat:

ان هو الا ذكر للعالمين

This áyat states that it (the Qur'aan) is nothing but a Naseehat for the aalameen. The phrase

ذكر للعالمين

appears thrice in the Qur'aan Shareef in regard to the Qur'aan. The Qur'an being a Thikr for the **aalameen** (man and jinn) does not preclude any other Scripture or being from this capacity. Rasulullah (sallallahu alayhi wasallam) also was a **Thikr** for the aalameen and so was Hadhrat Sulaiman (alayhis salam). The Qur'aan being in the capacity of only **Thikr** does not negate the capacity of **Thikr** of the Books of those Ambiyá (alayhimus salam) who presented the Deen to both mankind and jinnkind. It does not emerge from this áyat that because the Qur'an's only capacity is **Thikr** (Naseehat--Admonition and Guidance), the Torah is or was not a **Thikr**. Superiority and negation are two separate entities. Negation cannot be construed from superiority. It cannot be argued that because of the superiority of Rasulullah (sallallahu alayhi wasallam) over all the Ambiyá (alayhimus salám) and because of the superiority of the Qur'aan-e-Hakeem over all other Scriptures the attributes of **Rahmat** and **Thikr** are negated from all other Ambiya and all other Divine Kitábs respectively. Only minds bogged down by idolatrous grave-worshipping can venture such bátil claims.

The phrase **ذ النون** is used in the Qur'aan Shareef exclusively for Nabi Yunoos (alayhis salaam); The title, **ذ القرنين** in the Qur'aan Shareef is used for a particular person; all the various names of the Ambiyá (alayhimus salám) appearing in the Qur'aan are stated for particular Nabís. However, inspite of all the names and titles being used in the Qur'an Shareef for specific persons, the grave-worshippers do not argue that these be used solely for the persons mentioned in the Qur'aan Shareef.

The name, Muhammad appears in the Qur'aan-e-Kareem exclusively for Rasulullah (sallallahu alayhi wasallam). On the basis of their concocted principle, the grave-worshippers should likewise claim that since the word, Muhammad is used in the Qur'aan Shareef for only Rasulullah (sallallahu alayhi wasallam) it should be restricted to only Nabi (sallallahu alayhi wasallam) in the same way as they are claiming that **Rahmatal lil aalameen** be restricted to Rasulullah (sallallahu alayhi wasallam) because in the Qur'aan Shareef it is used only for Nabi-e-Kareem (sallallahu alayhi wasallam). But the Qabar Pujaari's say that it is permissible to give the name, Muhammad to anyone besides Rasulullah (sallallahu alayhi wasallam) inspite of the fact that it appears in the Qur'aan Shareef exclusively for Nabi-e-Kareem (sallallahu alayhi wasallam). When another person is named, Muhammad, obviously it does not mean that he has become on par with Rasulullah (sallallahu alayhi wasallam). But by means of ta'weel (interpretation) the name, Muhammad is transferred or borrowed or made use for any person besides Rasulullah (sallallahu alayhi wasallam) even if that person does not possess any of the attributes of Rasulullah (sallallahu alayhi wasallam) in the slightest degree. Nevertheless, no one will say that it is kufr to call another by the name Muhammad. When this is so with the name Muhammad used in the Qur'an exclusively for Rasulullah (sallallahu alayhi wasallam), then to a greater degree will it be valid to call or refer to another Nabi as **Rahmatal lil aalameen** when in actual fact the attribute of **Rahmat** does exist in some measure in that Nabi. This is precisely the meaning of Hadhrat Maulana Gangohi's assertion.

At no time did Hadhrat Maulana Gangohi (rahmatullah alayhi) deny the fact that Rasulullah (sallallahu alayhi wasallam) was the greatest **Rahmatul lil aalameen** nor did he claim that the attribute of **Rahmat** is equal in all the Ambiyá and Auliya and that all Ambiyá and Auliya are on par with Rasulullah (sallallahu alayhi wasallam) in the attribute of **Rahmatul lil aalameen**. But, this is the falsehood which the Qabar Pujaari sect is seeking to implant in the minds of unwary people. Hadhrat Gangohi (rahmatullah alayhi) made it very clear in his answer to the question (Fataawa Rashidiyyah) that on the basis of 'ta'weel' (interpretation) it will be permissible to say that other Ambiyá and Auliya also are **Rahmatul lil aalameen**, meaning thereby that although Rasulullah (sallallahu alayhi wasallam) is the highest in this capacity of **Rahmat**, other Ambiya and Auliya too share in the attribute of mercy, but to a lesser degree. In fact, Hadhrat Gangohi (rahmatullah alayhi) makes the categoric statement in his answer that Rasulullah (sallallahu alayhi wasallam) is the highest and the loftiest of all in this category and attribute of being a **Rahmat** to the aalameen. He further in his answer states unambiguously that the phrase for others will be applicable on the basis of ta'weel (interpretation). This is precisely like the name Muhammad is used for others by interpretation. The chattering of the grave-worshippers on this issue is therefore puerile and silly, designed with the motive to deceive and defraud others of Imán.

Let us consider the phrase **رحمة للمؤمنين** (**Rahmatul lil mu'mineen**) which is also used in the Qur'aan Shareef to describe the capacity of the Qur'aan. The Qur'an is described by Allah Ta'ala as **Rahmatul lil mu'mineen** (a mercy to the mu'mineen). This is mentioned exclusively in relation to the Qur'aan Shareef. On the basis of the principle formulated on the logic of the grave-worshippers, it has to be concluded that **nothing and no one** can be called **Rahmatul lil mu'mineen** other than the Qur'aan Shareef. But, the absurdity of this line of argument is self-evident. Rasulullah (sallallahu alayhi wasallam) is **Rahmatul lil aalameen**, hence in that capacity he is also **Rahmatul lil mu'mineen** since mu'mineen constitutes part of the áameen. Thus, on the basis of the logic and principles invented by the Qabar Pujaari sect, the grave-worshippers are in the invidious position of being under compulsion to negate the attribute of **Rahmatul lil mu'mineen** because the attribute appears for only the Qur'aan Shareef. On the contrary if they accept that the phrase **Rahmatul lil mu'mineen** can be applied to Rasulullah (sallallahu alayhi wasallam) inspite of its appearance in the Qur'aan Shareef exclusively for the Qur'aan, then they will be under mental pressure and the dictates of sanity to concede that their principle on which they base their claim is fallacious. This we are merely saying for the benefit of readers and not in any hope of the grave-worshippers recognizing and acknowledging their error and deception, for grave-worshipping is a sin and crime which utterly wrecks intelligence and understanding. (Continued on Page 5)



MUHAASABAH

Rasulullah (sallallahu alayhi wasalla) said:

"Take a reckoning [of your own condition] before a reckoning will be demanded of you [on the Day of Qiyaamah]."

Muhaasabah or to take stock of one's deeds and attitudes is an essential factor in the spirritual life of a Muslim. Most people have neglected or are not even aware of what **Muhaasabaah** is. As a result negligence and forgetfulness about the Aakhirah have set in deeply among Muslims. Due to there being no **Muhaasabah** in our lives, our beliefs have become extremely weak in nature. Muslims believe in the Aakhirah, in punishment and reward and in all the events which Rasulullah (sallallahu alayhi wasallam) informed us. But, inspite of belief and knowledge about these, our **yaqeen** in these future events is not strong enough to deter us from disobedience to Allah. Inspite of being aware that we will soon pass beyond this earthly realm and be ushered into the presence of Allah Ta'ala to give an account of our past life, we proceed with our mundane life in a heedless way, full of **ghaflat** (negligence).

Our attachment with Allah Ta'ala and the Aakhirah is extremely weak and remote. Aakhirah seems to be a remote--a far and distant affair. The conception, inspite of our belief in it, is very hazy to most Muslims. Due to it being hazy and remote, it is not sufficient to hold us onto the Path of Rectitude. This weakness of bond with the Aakhirah is to a large extent to be attributed to **Muhaasabah** being absent from our lives. It is of utmost importance to establish this practice of **Muhaasabah** in our daily life. It must be regarded as an essential duty to be fulfilled and an essential nourishment for the **Rooh**. **Muhaasabah** will, Insha'Allah, inculcate concern, diligence, fear of Allah, realization of truth, reality of life, closeness of the grave and Aakhirah, etc. in the Mu'min. The awareness which **Muhaasabah** will create in the mind and heart will deter one from disobedience and maintain man's bond with Allah Ta'ala strong and vigorous. The Aakhirah will seem near, and most certainly it is near. The futility of this transitory life will become manifest. Yearning to return to our true and original home, viz., Jannat from whence we hailed, will become strong. The ties with this temporary and perishable world will slacken and **maut** will become an easy matter. **Maut** (death) will not then seem to be a fearful event. It will then be viewed in proper perspective since with the eyes of the heart it will be discerned that **Maut** is merely the gateway through which man must pass on his onward journey to his blissful Home in the Aakhirah. But, all this talk will remain somewhat unintelligible as long as **Muhaasabah** is not given practical expression. Daily **Muhaasabah** is essential in the life of the Mu'min. Without it he will remain spiritually sick.

Regarding **Muhaasabah**, Hadhrat Hakimul Ummah Maulana Ashraf Ali Thaansi (rahmatullah alayhi) said:

"Extremely beneficial is the muraqaabah (meditation) of Hisaab (Reckoning of the Aakhirah). The way of this meditation is to set aside a time (a few minutes) to meditate about the Reckoning which will take place in the Hereafter. Sit in solitude (where you will not be disturbed) and picture in your mind that you have been ushered in the presence of Allah Ta'ala. The Scale of Justice (for measuring deeds) has been set up. The Siraat (the bridge over Jahannam) is front of you and you have been commanded to cross it. In this way picture and meditate about the evens of Qiyaamah. Soon will you realize that the commission of sin will be almost impossible for you. The fear of Allah will imbue your heart and following along the Path of the Shariah will not be difficult in the least bit."

The above is one facet of the meditation. In addition to this meditation of the Final Reckoning, take a daily reckoning of your daily acts, attitudes and deeds. Every night for a few minutes sit or lay in solitude. Recall all your deeds, statements and attitudes (feelings of anger, passion, hatred, jealousy, kindness, forgiveness, generosity, patience, etc.) of the day. When recalling a good deed, statement or attitude, make shukr unto Allah Ta'ala and ask Him to increase you in virtue. When recalling an evil act, statement or attitude, make istighfaar. Regret and seek forgiveness from Allah Ta'ala.

Repeat this **Muhaasabah** daily. Insha'Allah, the meaning of life and Aakhirah will dawn upon you. You will then be transformed into a Muslim of living Imaan. You will then realize the utter worthlessness and futility of all the worldly clamour.

* Corruption and strife have resulted in the wake of material progress.

* A man involved in futility will not direct his attention towards necessity.

* It does not matter if a Muslim is not wealthy, but he should have in him Deen and dignity.

* The purpose of Salaam is dua. This purpose is not attained without speech. Thus those people who reply to Salaam by the nod of the head are unconcerned of the purpose. This is a sign of a corrupt disposition.

(Hadhrat Hakeemul Ummat)

IRREGULARITIES OF FUND RAISING

RASULULLAH (sallallaahu alayhi wasallam) said:
"The wealth of a person is not lawful without his willing consent."

When out on fund raising missions, collectors should take note of this decree issued by Rasulullah (sallallaahu alayhi wasallam). In raising funds for charitable purposes by way of collections, collectors overstep the Islamic bounds by making use of tactics which are irregular and not permissible in the Shariah. Among the irregularities employed by fund-raisers are:

(1) Pressure upon Donors

Pressure in various forms is brought to bear upon the donor to extract sums which he cannot afford. Collectors have separate sections in their collecting books. For example, one part of the book is set aside exclusively for those who are supposed to donate large sums; another part for lesser amounts and again another section for small and very small amounts. If, in the opinion of the collectors, a prospective donor is a "wealthy" person, the book is thrown open at the "relevant" section. The donor seeing the large amounts written by his counterparts feels embarrassed and is constrained to "donate" a similar amount.

Morally - Islamically - this form of pressure is tantamount to "extortion since the money was obtained not by means of the donor's 'WILLING CONSENT', but by way of the application of indirect pressure. The correct procedure is to permit the donor to give whatever he wishes without any form of pressure or persuasion whatsoever from the side of the collectors.

(2) Sectionalising the Collecting Book

Placing the donors into different classes based on amounts given is un-Islamic. In books utilized by the collecting vendors categorisation of donors on the basis of amount should not be employed. The true financial state of the prospective donor is known to only himself. The collectors are guilty of violating the donor's rights of volition when they assign him into a financial category assumed by them by way of a cursory glance at his material possessions and business. A man may be engaged in substantial trade activities, he may own several properties, but his financial position may be such that the Shariah assigns him to a category of Zakaat Masaarif. Yet the collector - especially if he happens to be a wealthy and a prominent member of the community - will classify him as a wealthy person and extract a "donation" from him. Know that this sum obtained from the reluctant person who may be heavily in of indirect extortion are not lawful in the Shariah.

debt is not a donation. Acceptance and utilization of such "donations" by means

(3) Demanding more than the Amount Given

This malady is especially the affliction from which wealthy and prominent men suffer. The "donor" gives a large sum, not because his heart desires so, but because the "big man" in the community demands payment. Even if the donor is a wealthy person and can afford to donate even more than the amount he has given, then too the acceptance of such monies is not lawful since it was not obtained by his "WILLING CONSENT".

(4) Making the Donation a Debt

A recent baneful practice is to insist upon the donor to issue several post-dated cheques or bills. This method too is not lawful if the bills are obtained by means of insistence and embarrassment. Further, what guarantee does either the donor or the extorter have that the "donor" will be in a position to honour this "obligation". What guarantees does the donor or the extorter have in the life of the donor? Will the donor remain alive to honour payment of all the post-dated bills thus issued?

That Shariah law in this matter is that the "donation" issued in this form of post-dated bills is not a liability or debt on the donor. At any time, he will be at liberty to revoke the "donation" and cancel the outstanding bills. If he elects to revoke this "donation" the fund-raisers will not have any Shar'i grounds for holding him liable for payments. However, in terms of the law of the kuffaar, the fund-raisers do have the "legal" right of claiming payment for the outstanding bills.

Should the donor die prior to payment of the bills, the amounts cannot be claimed against his estate. If it is, and by virtue of kuffaar law the amount is realised from the estate of the mayyit, the fund-raisers will be guilty of the heinous crime of usurping the property of the heirs of the mayyit.

(5) Ulama participating in Collections

It is totally unbefitting the dignity of "Ilm" and the high rank of the Ulama for them to participate in door to door collections. No matter how sublime the object of the collection may be - whether the purpose of the collection is to raise funds for the erection of a Masjid, Madressa, for the poor, etc., it does not behove men of Islamic learning to denigrate their lofty status by occupying such posts of "zillat" (disgrace).

Enemies of the Ulama abound in our society. They

are perpetually on the lookout for the flimsiest of pretexts to cast aspersions and sow suspicion against the Ulama. The duty of the Ulama is not to collect funds. Their function is to guard and disseminate the Knowledge of the Deen. Collecting funds, for charitable purposes is the duty and function of the community at large.

Ulama who are engaged in any Islamic project of their own, e.g. Madressa, Masjid, etc., should adopt Tawakkul in Allah Ta'ala as the backbone of all their activities. Funds necessary for the functioning of their Islamic activities should be obtained and accepted with dignity and honour. In fact only the funds of such persons should be accepted who have complete faith in your activities. If the donor cherishes any doubt or displays the slightest lack of confidence in you O Ulama! then never accept their "donations". Do not employ such money of zillat in your noble activities of the Deen.

Funds which come unsolicited are noble funds. Funds which are obtained by "begging" and "persuasion" are funds of zillat.

Your duty is merely to notify the public of the Islamic activity being pursued. The needs of the activity may be published. More than that should not be indulged in. The public should exhibit some responsibility and concern themselves without the Ulama appealing for funds. After all, the Islamic activities conducted by the Ulama are for the benefit of the general public. If the public, therefore fails to realise and discern this, then it will be guilty of neglecting its holy duty.

Hadhrat Hakimul Islam Maulana Ashraf Ali Thanvi's (R.A.) advice to the Ulama is not to undertake activities which could not be borne. This advice stems from Rasulullah's (sallallaahu alayhi wasallam) exhortation that it is highly improper for a Muslim to disgrace himself. And, undertaking more that could be borne is an invitation to disgrace. If any activity is beyond one's means and ability, discontinue it, decrease it, but do not invite zillat by accepting funds of those who doubt your integrity. Hadhrat Hakimul Islam aptly observed:

"Funds are required (for our Islamic activities), but acceptance of funds with zillat cannot be borne."

The Ulama should remember well that the ultimate goal of service to the Deen is the obtainal of the eternal Pleasure of Allah Ta'ala. The obtainal of this Divine Pleasure is not dependant upon the size and quantity of the activity. Its obtainal is directly dependent upon sincerity of niyyat and

adoption of the method of the Sunnah. To obtain Allah's Pleasure it does not mean that you must be in supervision of a large Madressa with hundreds of students and dozens of Ustaads; it does not mean that you must establish a monument of a Mosque, etc. If the means and ability are lacking then the teaching of even one or two students at home will secure the Divine Pleasure. In fact the same Pleasure of Allah will be obtained with less responsibility by the small service of the Deen as the huge service which one intends to render but lack the means.

(6) Soliciting Haraam Funds

Another evil practice initiated recently by a certain organization is the appeal for Haraam funds such as interest (riba) monies. The indulgence in Haraam today is so rife and through that organizations claiming to be "Islamic" have no qualms in publishing appeals for Haraam monies. The moral degeneration of the organizers of such organizations have hit the bottom of the barrel. The reluctance of people to give Halaal monies coupled with the moral degeneration of so-called "leaders" and "trustees" of organizations have occasioned this appeal for Haraam. Truly, the words of Rasulullah (sallallaahu alayhi wasallam) are becoming manifest by the day:

"There will dawn an age over mankind when man will not care whether what he takes is from Halaal or Haraam."

Haraam monies such as riba, etc., are not funds to be solicited. Those who are in possession of unlawful wealth should seek from the Ulama the Shariah ruling pertaining to such Haraam wealth and act in accordance of the Law to dispose of same. Haraam wealth in one's possession is not all of the same classification. Different types of unlawful wealth have to be disposed of in different ways, and disposal should be preferably effected by the possessor of such monies. Islamic organizations should not stoop to such a low ebb of moral degeneration to shamelessly appeal for "interest" monies. If public appeals could be made for riba monies then one will have greater justification and right to launch public appeals for funds obtained by way of brothels and prostitution, for according to Islam, riba is an evil, the sin of which is far, far greater than the sin of zinaa (fornication). Rasulullah (sallallaahu alayhi wasallam) said in this regard:

"Riba is greater than a conglomeration of more than seventy major sins, the lightest of which (i.e. the lightest of the 'more than seventy sins') is like the commission of zinaa with one's own mother."

In one version it is stated that riba is worse than committing fornication, with one's own mother right in the Ka'bah Shareef. The notoriety of the evil of riba should therefore be self-evident to all Muslims who attach value and Imaan to the sacred utterances of Rasulullah (sallallaahu alayhi wasallam).

The guilty organizations must necessarily desist from the practice of soliciting for Haraam funds.

Fund-raisers should remember that Islam is an object of honour and respect. At all times, therefore, those who act in the name of Islam should adopt measures which will not bring disgrace upon Islam nor violate the Laws of the Shariah.

He who indulges in doubtful things will (finally) indulge in the forbidden things.

(Hadith)

If you had to follow the majority on earth, they (the majority) will lead you astray from the Path of Allah. They follow nothing, but conjecture.

(Quraan)

Istighna

REMEMBER that the Deen is at all times the object of reverence and honour. However, outwardly its respect and honour is linked with the respect of the Ulama. If the Ulama fall in disgrace then the Deen too will suffer in the eyes of the public. In these times the reason for the diminishing respect for the Deen is because of our (the Ulama's) projecting an image of dependence and need. The public viewing our position infer therefrom that the acquisition of the Knowledge of the Deen is a cause of disgrace. And, it is this factor

of dependence (on others) that have brought us to this lowly position. However, it must be said that there are such men as well (among the Ulama) who despite extreme need do not brook zillat.

Those who are called the leaders of the community (i.e. Ulama) have to exercise every caution so as not to bring zillat upon themselves. The obtainal of dignity and respect is by way of "istighnaa" (independence).

(Hakimul Islam Hadhrat Maulana Ashraf Ali Thanvi - R.A.)

Sayings of Hadhrat Ghauthul A'zam

- * The effect of Tauheed is the purification from all defilements of belief and practice.
- * Allah Ta'ala bestows Rizq in abundance to him who fears Him (Allah) and obeys Him.
- * Sabr for Imaan is like the rooh is to the body.
- * The external (bodily) health and safety and the internal (spiritual) health of safety of the Muslim are in the acquisition of taqwa. This is the way of "Seeraatul Mustaqeem". It is the real basis of the Deen.
- * It is incumbent upon every Muslim to inculcate taqwa, abstain from the company of faasiq and faajir persons and enter the

association of pious and obedient people.

- * Accord priority to the demands of Belief and Knowledge. Do not allow engagement in worldly affairs to make you forgetful of the Commands of Allah Ta'ala.
- * Turning away from the Quraan and Sunnah will result in one becoming the captive of shaitaan.
- * He who turns away from the Quraan and Sunnah introduces concessions to lead astray the Ummah of Muslimeen.
- * Safety from the calamities of false belief and practice is linked with observance of the Quraan and Sunnah.
- * "Ittibaa' Sunnat" (obedience to the Sunnah) is a sacred favour through which one attains the ranks of wilaayat, abdaaliyat and ghauthiyyat (all high classifications of sainthood).
- * The reward of a Muslim who devotes his life to the propagation of the Word of Allah and the Sunnah is superior to the reward of one who wages Jihaad in the Path of Allah. Allah's aid is constantly with him.

Regarding charity in the Path of Allah, Hadhrat Hakimul Islam said:

"No one should consider the amount donated as much or little. This is a Saqah Jaariyah. Regard participation in this (Sadaqah Jaariyah) a golden opportunity. Give as you can afford."

Advice to the ULAMA

It does not behove the Ulama to look towards the community for their (material) needs and requirements. At all times their gaze must be fixed on Allah Ta'ala.

"And, unto Allah belongs the treasures of the Heavens and the earth."

(Quraan)

The Ulama who are engaged in the service of the Deen should execute their duties not because they anticipate remuneration, but for the sake of Allah. I swear by Allah! The Name of Allah is of greater value than the two worlds (this world and the Akhirat)."

(Hakimul Ummat Hadhrat Maulana Ashraf Ali Thanvi - R.A.)

TASAWWUF

What is Tasawwuf? It is a misunderstood and hidden concept. It is a practical knowledge which has been neglected. In some circles it is incorrectly explained-distorted. Some consider it to be of academic importance while others present it to the masses as a cult of mysterious rituals and incantations, hence it is erroneously described as *Islamic Mysticism*. But, in actual fact, there is nothing mystical about it.

Tasawwuf, in fact, is just as 'mystical' as the Shariah because it is an integral part of the Shariah. It is not a concept which originated in the course of Islamic history. It is not something which individuals introduced on the basis of their opinion. Tasawwuf is the product of the Qur'aan since it is part of the Shariah, the prime source of which is the Qur'aan. The Shariah consists of an external and an internal dimension. The external part of the Shariah is called *Fiqh* and the internal part is described as *Tasawwuf*.

Like it is obligatory to acquire a necessary extent of the knowledge of *Fiqh*, so too is it obligatory to acquire the necessary amount of *Tasawwuf*. *Tasawwuf* is that

branch of the Shariah which concerns about purification and development of the heart and soul. Like the Qur'aan commands Salaat, Saum, Hajj, etc., in the external form, so too does it command sincerity, steadfastness, patience, etc. These latter attributes pertain to the heart, the purification and adornment of which is compulsory.

The action of *Tasawwuf* is the purification of the heart and soul from *akhlaaq-e-razeelah* (the evil qualities) and the development and adornment of the heart with *akhlaaq-e-hameedah* (the lofty and noble attributes). In this direction and purpose is nothing mysterious.

Tasawwuf is essential in the life of every Muslim. Without *Tasawwuf*, Imaan will always remain weak and defective just as it will remain weak and defective without practising the rules of *Fiqh*. One can never be a living and perfect Muslim without *Tasawwuf*, for *Tasawwuf* is the life-blood and *Rooh* of Islam.

Articles which *The Majlis* carries from time to time on the reformation and adornment of the heart and soul are all *ma saa-il* (rules) of *Tasawwuf* explained in the authentic books of *Tasawwuf* and narrated by the authorities of *Tasawwuf*, viz., the Mashaa-ikh of Tareeqat. Study these articles well and practise accordingly so that the *Noor* of Imaan radiates from your heart and permeates every facet of your daily life. This is the only way by which the Pleasure of Allah Ta'ala can be obtained.

ALERT

The Mu'min must be alert at all times and prepared because he does not know when the Call to return will be sounded by Allah Ta'ala. The sign of one's condition having attained rectitude is being imbued with the spirit of the following hadith:

"He who loves the meeting of Allah, Allah loves his meeting."

When the Mu'min loves to meet Allah Ta'ala, He too then loves to meet the Mu'min. This feeling in the Believer signifies that his relationship with Allah Ta'ala is correct.

This condition is dependent upon the rectification of one's deeds. Without leading a righteous life the relationship with Allah Ta'alla will remain weak and defective.

(Hadhrat Haakimul Ummat)

OLD MEN AND PURDAH

Purdah for an old man must be exercised to a greater degree. There is a need to be more careful because like his other physical powers and abilities are weakened so too is his ability to resist carnal lust. He is also stirred by lust and passion. He does not regard his inclination (towards females) as the dictate of carnal lust. He stirs his carnal lust by reflection. A young man after climax

obtains carnal gratification whereas the old man does not attain sexual gratification. His inclination, therefore, towards females remains strong (despite his inability). He, therefore continuously ruminates to obtain some satisfaction. This is the 'zina' (fornication) of the heart which the Hadith speaks about.

(Hakimul Ummat Hadhrat Maulana Thanvi-R.A.)

FRIEND OF THE PIOUS

When the time was at hand for Ibn Mubarak (R.A.) to depart from this transitory existence, one of his mureeds (disciples) enquired from him just as he (Ibn Mubarak) was entering the state of 'sakraat' (pangs of death):

"O Master, You are leaving behind three daughters. What arrangements are to be made regarding them?"

Abdullah Ibn Mubarak (R.A.) replied:

"And, He (Allah) is the Friend of the pious. (This is a verse from the Qur'an Shareef recited by Ibn Mubarak in reply to the question.) What has Abdullah to offer those whom Allah has befriended?"

ZUNNUN - AN ANECDOTE

Hadhrat Zunnun Misri (R.A.) while travelling in the wilderness passed through a mountain-range. Here he witnessed a large crowd of ailing people. He was told that in this mountain a saint resides. Once a year he makes an appearance and supplicates on behalf of the ailing who are all immediately cured. Zunnaun (R.A.) also joined the crowd waiting for the appearance of the dervish. When the dervish finally emerged, Zunnaun (R.A.) was struck with awe and a great fear overcame him. His body trembled with the inexplicable fear struck up in his heart. The dervish was, in all, reduced to a walking skeleton. His eyes were sunk deeply into the eye-sockets. The dervish made Dua and blew into the direction of the crowd of sick people. Everyone was immediately cured. As the dervish prepared to enter his abode in the mountain-cave, Zunnun (R.A.) followed and grabbed his cloak, imploring:

"O Saint of Allah! You have healed the external ailments of the people, now cure the internal (Spiritual) ailments of my heart."

The dervish glanced at Zunnaun (R.A.) and exclaimed:

"Zunnun! Let go of my cloak, for Allah Ta'ala is watching. You have sought the aid of one other than Him."

So saying, the dervish struck the hand of Zunnun (R.A.) from his cloak and disappeared into the mountain.

LUST

Even if a fornicator fornicates with all the women on earth barring one, his lust will deceive him into believing that perhaps he may attain greater satisfaction from the remaining one. It is for this reason that a fornicator perpetually dwells in a state of mental agitation.

(Hakimul Ummat)

All things become easy for one who gains proximity to the Truth.

(Bayazid Bustami)

'Cause' of Death

Describing the creation of Aadam (alayhis salaam), Rasulullah (sallallahu alayhi wasallam) explained the Allah Ta'ala despatched Jibra-eel (alayhis salaam) to bring a handful of soil from earth. When Jibra-eel (alayhis salaam) was about to take the sand, the earth wailed and exclaimed that great disaster will overtake it by the creation of man. Jibra-eel (alayhis salaam) took pity on the earth and returned empty-handed - without the soil. Mika-eel (alayhis salaam) was then sent on the same mission. He too was overcome with pity when earth bemoaned the forthcoming creation. Mika-eel (alayhis salaam) also returned empty-handed. Isra-feel (alayhis salaam) was next sent and he as well suffered the same fate and returned empty-handed.

Allah Ta'ala then ordered Izra-eel (alayhis salaam) to bring the handful of earth. When the earth cried out and begged Izra-eel (alayhis salaam) not to take any of its soil, Izra-eel (alayhis salaam) remarked:

"Shall I heed your plea or fulfil the Command of Allah?"

So saying, he grabbed the soil and proceeded to Allah Ta'ala. Allah Ta'ala then said to Izra-eel (alayhis salaam):

"You shall be appointed to take possession of the souls of the progeny of Aadam."

Izra-eel (alayhi salaam) replied:

"O Allah! People will loathe me."

Allah Ta'ala rejoined:

"People whose gaze will be on material agencies will attribute death to various causes."

It is for this reason that we never hear of people blaming Izra-eel (alayhis salaam) for anyone's death. Every death is attributed to some worldly cause or agency.

SADQAH?

Some people slaughter a goat as a form of 'sadqah' in the hope of obtaining recovery for an ill person. This practice seems to be based on a defective belief. The intention of slaughtering the goat being the spilling of blood which will act as a 'fidyah' a ransom or an expiation - for the ailing person. 'Fidyah' on such an occasion is not a Sunnah, hence this practice is a bidah. If this practice is interpreted as 'sadqah' then why is the desired satisfaction not obtained by giving in charity the same quantity of meat, grain or the cash?

(Hakimul Ummat, Hadhrat Maulana Thanvi-R.A.)

Apparitions

Certain souls which have departed from this material sphere of existence are sometimes endowed with certain powers with the permission of Allah Ta'ala. These souls at times assume various forms and make appearances.

(Hakimul Ummat, Hadhrat Maulana Ashraf Ali Thanvi -R.A.)

Ulama - a Shield

The Ulama should consider it a boon that the sceptics direct their criticisms towards them (the Ulama) and not to Rasulullah (sallallahu alayhi wasallam). If they did not take the Ulama as a scape-goat, they (sceptics) would have directed their attacks against Rasulullah (sallallahu alayhi wasallam). In this regard the Ulama are like a shield for Rasulullah (sallallahu alayhi wasallam) in the same way as Hadhrat Talha (R.A.) acted as a shield by taking the strikes of the swords (of the kuffar) onto his body.

(Hakimul Ummat)

TENDERNESS

Tenderness in monetary dealings, and in all other fields of one's activity, and the readiness to oblige and to put others at ease are all virtues of the highest order in the Islamic pattern of morality.

We will reproduce two Traditions of the holy Prophet in support of our contention Said he:

"Hell's fire is forbidden for those that are mild and gentle and make it easy for others to deal with them."

"God is compassionate and likes compassion in His creatures. He grants more to the kind and the tender-hearted than to those who are harsh and severe."

(Maulana Manzoor Noman)

MOSQUE TRUSTEES

It is incumbent upon the residents of locality to remove a dishonest Mutawalli (Trustee) from office otherwise they will be guilty of sin.

(Fatawa Khairiyah)

Hazrat Ibn Abbas (R) narrated that Rasulullah (S.A.W.) said: "He who appoints a man in charge of the affairs of Muslims whilst in that community there is a person more versed in the Quran and Hadith has betrayed Allah, His Messenger and the Muslim community."

(Izalatul Khifa)

"It is not permissible to appoint a Fasiq as a Mutawalli."

(Fatawa Ibn Taimiyyah)

"To appoint an ignorant and a Fasiq person to a position of Trust (e.g. Mutawalli) is to show honour to him whereas the Shariah has prescribed the honouring of Fussaq (rebellious and shameless sinners)."

(Shami)

Rasulullah (S.A.W.) said: "When positions of Trust are handed to unqualified (Islamically) persons then await the Final Hour."

(Bukhari Shareef)

Allah Ta'ala declared in the Holy Quran: "Only those shall administrate Musjids who believe in Allah and in the Last Day; who establish Salaat, who pay the Zakat, and who fear none besides Allah."

MOSQUES OF TODAY A SIGN OF QIYAMAH

Rasulullah (S.A.W.) said: "One of the signs of the Day of Qiyamah is that people will vie with one another in the building of Mosques."

(Mishkat)

"People will be proud of their Mosques, but few will attend."

(Abu Dawood)

"The day of Qiyamah will not come as long as people desist from being proud of their Mosques (i.e. of the constructional beauty and decoration of the Mosque)."

(Abu Dawood)

Ibn Abbas (R) said: "You (Muslims) will decorate your Mosques like the Jews and the Christians decorated their places of worship."

Ali (R) said: "A time will come when Islam will remain only in name; the Words of the Quran will be left, and the Mosques will be outwardly prosperous but will be desolate as far as guidance is concerned."

Umar Ibn Khattab (R) said: "Save the Mosques from red and yellow colours for people will be involved in mischief (thereby)."

SIRAAT--SHARIAT

The Siraat (the Bridge over Jahannum which Rasulullah--sallallahu alayhi wasallam-- said is finer than a hair and sharper than a sword) has a similitude here on earth. Its likeness is the Shariah. When one becomes accustomed to walk steadfastly on the Shariah, walking on the Siraat will not be difficult. The Saalik (the one who walks steadfastly on the Path of the Shariah) will experience no difficulty in Qiyaamah on the Siraat. Therefore, it is essential to maintain your life on rectitude at all times.

(Hadhrat Hakimul Ummat)

MUJLISUL ULAMA ZAKAAT ORGANIZATION OF SOUTH AFRICA

(Mujlisul Ulama Zakaat Organization of S.A.)
P.O. Box 3393, Port Elizabeth.

Current Nisaab
Rabiuth **of Zakaat** Feb. 1983
Thani 1403 **R265 (approx.)**

FOR MEMORY

TO improve the memory recite Surah Faatihah together with Bismillaah forty times daily after Asr Salaat and blow on the breast.

MAHR-E-FATIMI

To calculate the value of Mahr-e-Fatimi multiply 49, 21 by the price of silver per troy ounce. The value of Mahr-e-Fatimi during the month of Rabiuth Thani 1403/Feb. 1983 was R675.

ZAKAAT ON CAPITAL

WHEN Zakaat is given on a capital amount once, and thereafter if this same amount remains with the owner till the following year then Zakaat will be due again. Zakaat does not cease on any sum if Zakaat has previously been given on it. Zakaat will be Fardh repeatedly after every Islamic year has elapsed.

THE METHOD OF DISTRIBUTING ZAKAAT

1. Zakaat is Fardh at the rate of 2.5%.
2. Zakaat should be given as soon as possible after it becomes due. It is possible that death will occur and thus lead to failure in fulfilling ones obligations.
3. If one has not given Zakaat at the end of the year, and another full year passes, he will be sinful for not having given Zakaat. He should repent and give Zakaat for both years as soon as possible.
4. One is at liberty to give the full amount of Zakaat to one person or to several persons. The Zakaat may all be given on one day or over a period.
5. A poor man cannot be paid for his work from Zakaat, nor can Zakaat be given in payment of anyone's services, except when an Islamic government pays salaries to persons appointed by the government to collect Zakaat.
6. Zakaat will only be valid if the recipient is made the owner of that amount. If, for example, a few needy persons are fed a meal from Zakaat money, then Zakaat will not be fulfilled as they were not made the owners of the food.
7. Zakaat cannot be given or used for the construction of a masjid, madrasah, hospital, a well, a bridge or any other public amenity.
8. If a person on whom Zakaat is Fardh gives Zakaat before a full Islamic year passes, then such Zakaat will be valid.
9. If a young boy or girl who has not yet reached maturity is the owner of wealth that is equal to Nisaab, then Zakaat will be Waajib on him/her exactly one year after he/she has become baaligh. (mature)
10. Poor students can be given a bursary from Zakaat. If the student is of an understanding age, the Zakaat must be given to him personally; and if he is not of an understanding age, then his Shar'i Wakeel (parents or legal guardian) must be given possession of the amount.
11. Zakaat can be paid in kind from the same merchandise on which it is due, or alternatively, it could be paid in cash.

DECREASE IN WEALTH BY THE END OF THE ISLAMIC YEAR

1. If Zakaat on wealth has not been given at the end of the Islamic year, and all that wealth either gets lost or stolen, then such wealth is exempt from Zakaat. If one deliberately gives away or destroys his wealth then Zakaat still remains Waajib.
2. If after a full Islamic year has elapsed, and incidentally without the niyyat of Zakaat, one gives away all his wealth to charity, then that amount of wealth is exempt from Zakaat. In a case where he only gives away part of that wealth, then Zakaat will be due on the remainder if it is equal to Nisaab.

Your Zakāt — our Condition of Acceptance

The prime purpose of the Mujlisul Ulama Zakaat Organization is to guide Muslims in their Zakaat affairs. Our aim is not to be a money-collecting organization. However, where Muslims find that they are not able to distribute their Zakaat funds in accordance with the Shariah, they may then divert their Zakaat payments to us. To assist us in this task and to lighten the responsibility for us we stipulate the following condition for the acceptance of Zakaat funds diverted to us for distribution:

WHEN FORWARDING ZAKAAT TO US, DO MAKE THE NIYYAT (INTENTION) OF MAKING THE MUJLISUL ULAMA ZAKAAT ORGANIZATION YOUR FREE AND UNFETTERED WAKEEL (REPRESENTATIVE) IN THE DISTRIBUTION OF YOUR ZAKAAT.

This niyyat by you will enable us to distribute your Zakaat in accordance with the Shariah in a manner that will make it easy upon us to effect the distribution. Do remember that the effect of making this niyyat (as outlined above) will permit us full and unfettered control and freedom to distribute within the Shari' Zakaat categories in a manner, time and amount as we deem fit.

PLEASE NOTE THAT WE SHALL ACCEPT YOUR ZAKAAT FOR DISTRIBUTION ONLY ON THIS CONDITION. If you cannot agree to this condition, please do not forward your Zakaat to us for distribution. You may in that case divert your Zakaat elsewhere for distribution.

* In former days honour for the Deen was in the hearts of even the masses. Nowadays this honour has been reduced in even the elite. All the corruption is a consequence of this (lack of honour for the Deen even among the learned).

* True knowledge is the right of only Muslims. Others have no relationship whatever with it.

* Effort and courage coupled with sincerity reduce great mountains to dust and the road is opened.
(Hadhrat Hakeemul Ummat)

ZAKAAT MASAARIF

1. It is not Jaa'iz (permissible) in the Shariat to give Zakaat to a person who owns merchandise or wealth in excess of his needs to the value of Nisaab nor is it Jaa'iz for such a person to accept Zakaat.
2. A person who does not own an amount equal to the value of Nisaab is known as a Faqir. This person could be given Zakaat and it is permissible for him to accept Zakaat.
3. A person owns wealth which in value exceeds the amount of Nisaab, but this wealth is not intended for business nor does he require it for his daily needs. Such a person is regarded as well to do and should not be given Zakaat.
4. The books of a scholar or tools of a tradesman are among his necessities, irrespective of their value. Besides these if he does not own wealth equal to Nisaab he could be given Zakaat.
5. When giving Zakaat, Sadaqah etc. one's poor and needy relatives should be given preference. To avoid embarrassing them it should be given to them without saying that it is Zakaat or Sadaqah.
6. There is great thawab in giving Zakaat to poor persons who are striving in the way of the Deen, or those who are engaged in acquiring religious knowledge, or to religious institutions where poor or needy students are being cared for. Care should be taken that only such institutions are given Zakaat where it is used according to the Shariah.
7. A child of a wealthy father cannot be given Zakaat. When such a child becomes mature in age, and does not own wealth to the value of Nisaab, he may then be given Zakaat.
8. Zakaat can be given to a brother, sister, nephew, niece (brothers and sisters children), uncle, aunt (both paternal and maternal), step-grandfather, step-grandmother, father-in-law, mother-in-law, provided they do not possess Nisaab.

GIVING ZAKAAT THROUGH AN AGENT (SHAR'I WAKEEL)

1. Authority can be delegated to another person or an organisation for the distribution of Zakaat in order that it be utilised in accordance with the laws of Zakaat.
2. When one does not give his Zakaat himself but gives it to an agent and instructs him to distribute the Zakaat, and the agent forgets to make the niyyat of Zakaat, the Zakaat will still be valid.
3. If a person requests someone to give a certain amount on his behalf as Zakaat, and that sum is given out, then the Zakaat will be valid. The sum given will be a debt upon the one who made this request.
4. If someone is given Zakaat to distribute, he may delegate this to a third person. It is not necessary to inform the first person for whom this Zakaat is being distributed.
5. If an agent is given Zakaat for distribution, and he does not distribute it then the Zakaat will not be regarded as fulfilled, and the obligation of Zakaat will remain the responsibility of the one upon whom it was Fardh.

PERSONS THAT CANNOT BE GIVEN ZAKAAT

1. Zakaat cannot be given to Banu Hashim. The Banu Hashim are all the children of Sayyadatina Faatima R.A., and all members of Rasulullah S.A.W.'s family and wives R.A.
2. Zakaat cannot be given to parents, grandfather etc. In the same manner one's children and grandchildren, cannot be given Zakaat, a husband and wife cannot give Zakaat to each other.
3. Zakaat contributions cannot be given to such institutions or organisations who do not give the rightful recipients (Masaarif) possession of Zakaat, but instead use Zakaat funds for construction, investment or salaries.
4. Zakaat cannot be given to non-Muslims. The same ruling applies to Waajib Sadaqah i.e. Sadaqatul Fit'r, Kaffarah, Ush'r and Naz'r. Naf'l Sadaqah could be given to non-Muslims.
5. A needy person cannot be given Zakaat as remuneration for services.

GIVING ZAKAAT TO A WRONG PERSON.

1. A person is regarded as needy and is given Zakaat. Later it is found that he is not needy or is a Sayyad (descendent of Rasulullah S.A.W.'s family); or he happens to be a relative who could not be given Zakaat. In all these instances the Zakaat given will be valid. The recipient must therefore be honest, if he is not entitled to Zakaat then he must not accept it.
2. If one cannot determine whether the recipient is needy or not, then it is better to make certain before giving him Zakaat. If Zakaat is given without inquiry and subsequently it becomes known that the recipient is wealthy the Zakaat will have to be given again a second time.

THE BLESSING OF ZIKRULLAH

Once a thief gained entry to the palace of the king. From his position of concealment he overheard a conversation between the king and the queen. The discussion concerned the marriage of the princess. The king said that he will give the hand of his daughter in marriage to only an *aabid* [worshipper] and *zaahid* (a dervish—one who has renounced the world). The thief was overwhelmed with joy to have learnt of this secret. He withdrew from the palace without fulfilling the purpose of his entry into the palace.

He reasoned with himself that a wonderful opportunity has come his way. He will from now onwards strive to win the princess by setting himself up as a worshipper and dervish. In pursuit of this aim he betook himself to a nearby Musjid and engaged in ibaadat, spending the time in thikr and salaah. Night and day he clung to the Musjid. His time was occupied by nothing but ibaadat.

Word soon spread that a great and pious saint has come to the city and was engaged in thikr night and day. The information reached the king who sent a spy to ascertain the facts. The spy kept the 'dervish' under constant observation, but the new dervish was unswerving in his new occupation of thikr. The spy reported favourably to the king who was highly impressed with the story of this pious man of Allah living in the Musjid.

At last came the great moment. The king sent his chief minister to the dervish offering the hand of the princess in marriage. But, by this time the *Thikr* of Allah had claimed the heart of the dervish. His heart was now imbued with the love of Allah Ta'ala and there remained no other yearning but Allah in his heart. In reply to the king's offer, the new-bon saint said:

"I started off with an evil motive, but Allah Ta'ala has bestowed His Grace and Mercy on me. I neither require the princess nor the king's wealth and armies. Leave me in peace and waste not my time."

SHI'ISM

AND THE

SAHAABAH

The entire edifice of the Shariah which the Ummah follows has been reared on the way and method-- on the foundations-- of the noblest generation of mankind, *Khairul Quroon*, viz., the illustrious Sahaabah of Rasulullah (sallallahu alayhi wasallam). From the very beginning, the Ummah has accepted that the Islam of the Sahaabah is the Islam of the Qur'aan, the Islam of Rasulullah (sallallahu alayhi wasallam). The Ummah will always accept this. We will always accept and believe that the Sahaabah were the best suited and the best qualified to understand what Rasulullah (sallallahu alayhi wasallam) taught and delivered from Allah Ta'ala. We cannot accept that any brand of Islam other than the brand propagated by the Sahaabah is the true Islam of Allah Ta'ala. The Islam of the Shiah is an accident which occurred in the wake of the murder of Ameerul Mu'mineen Sayyiduna Uthmaan (radiallahu anhu). The Shiahs are a stray group laying by the wayside among the many other discarded and uprooted sects which Rasulullah (sallallahu alayhi wasallam) said are condemned to *Jahannum*. The Islam requisite for *najaat* in the Hereafter is the Islam of the Sahaabah, the Islam to which the Ummah is subscribing, and not the cult of the Shiahs.

Shi'ism is the murderer of Ameerul Mu'mineen Hadhrat Uthmaan (radiallahu anhu), hence murder and anarchy always are attendant to the activities of the Shiahs. Shi'ism is based on hatred for the Sahaabah of Rasulullah (sallallahu alayhi wasallam). Among the numerous Sahaabah which they detest, their vituperation is directed with the greatest venom against the most senior Companions of Rasulullah (sallallahu alayhi wasallam). We thus observe in their literature, in their talks and lectures an incessant torrent of slander and abuse against Hadhrat Abu Bakr, Hadhrat Umar, Hadhrat Uthmaan, Hadhrat Talha, Hadhrat Zubair, Hadhrat Aishah and Hadhrat Muaawiyah (radiallahu anhu). The structure of Shi'ism rests on denigration and rejection of the Sahaabah.

The Islam which the Ummah has been following for the past fourteen hundred years is the product of *Wahi*. It is not the consequence of human minds. It is not concepts conjured and conjectured by the mind of man. But, Shi'ism has no basis in the Qur'aan and Sunnah. It is purely the cult of the mind of men who were murderers of the Sahaabah. The only basis which Shiahs have for their beliefs and teachings is their personal opinion and desire. Their method is to choose Qur'aanic verses and ahadith and interpret these to conform to their ideas and beliefs which they have already forged and formulated. For example: They first formulated on the basis of their opinion that Hadhrat Ali (radiallahu anhu) and those whom they declare to be Imaams are *ma'soom* (sinless and infallible) like the Ambiyaa (alayhimus salaam). After asserting this to be their belief, they will interpret verses and ahadith in terms of their fancy to substantiate this preconceived personal conception. They cannot adduce any Shar'i proof for any of their beliefs. Should the Qur'aan, the Sunnah and the verdicts of the Sahaabah contradict their opinions, they (the Shiahs) will commit blasphemy and kufr by shamelessly rejecting such divine proofs or by interpreting the ayat and ahadith in total contradiction of the clear and evident decisions and verdicts of the Shariah.

Furthermore, the Shiahs have no original Shar'i sources on which to base their beliefs. They are compelled to make use of the works of the Ahle Sunnah because without the Ahle Sunnah there is no Islamic history. They have to rely entirely on the works of the Ulama of the Ahle Sunnah. They will then commit the fraud of mutilating, interpolating and fabricating narrations to suit their opinions. No sect is so audacious and notorious as the Shiahs for fabricating and forging hadith in the name of Rasulullah (sallallahu alayhi wasallam). In the absence of having any authentic works, they feel free to forge, fabricate and falsify as much as their hearts desire.

QUESTIONS AND ANSWERS

(Continued from Page 3)

Haqq. This becomes especially necessary in view of the unofficial Shiahs existing in modernist groups and who are acting as agents for Shi'ism in the midst of the Ummah in which there are innumerable people who do not know what Shi'ism is.

SHI' opinions

Khomeini says:

"In certain cases, the phrase: 'What we leave behind is charity' has been added to the tradition, but it does not truly belong there. Found only in Sunni versions of the traditions, it has been added for political reasons."

(Writings and Declarations of Khomeini)

The Teheran Times dated 25th August, 1982 cites the leading Shi'i priest, Mutahhiri as follows:

"Now that we see Ali, Ammaar, Uways al-Qarani and others face to face with Aishah and az-Zubayr and Talhah, we do not feel any hesitation, for we see the second group as people with the look of criminals, that is, the effects of evil and treachery are evident on their faces; and when we look at their faces and their treacherous characters we guess that they are people of the Fire."

(The Shi'i villains may guess that Hadhrat Zubair, Talhah and Aishah (radiallahu anhu) are the "people of the Fire". But, we are certain that this Mutahhiri criminal and the Shi'i clergy are the inmates of Jahannum. Can men of Imaan tolerate scoundrels like Khomeini, Mutahhiri and their horde of priests speaking so vilely about the beloved wife and Sahaabah of Rasulullah (sallallahu alayhi wasallam)? Can such evil men be our brothers? Even if they wish to be our brothers, we have only hatred for these plunderers of Imaan masquerading as men of Islam.--Editor)

Khomeini says:

"Dissemination of the ordinances of Islam, as well as the teaching and instruction of the people, is the duty of the fuqaha who are just. For if they are not just, they will be like Samura ibn Jandab, who forged traditions hostile to the Commander of the Faithful."

(Writings and Declarations of Khomeini)

(Is this the way of courting brotherhood with Sunnis? Do you know who Hadhrat Samura Ibn Jundub [radiallahu anhu] was? He was a senior Sahaabi of Rasulullah [sallallahu alayhi wasallam]. He is no forger. Khomeini is the forger.--Editor)

The Teheran Times dated 25th August, 1982 reported the Shi'i priest Mutahhiri's condemnation of the Sahaabah as follows:

"...the fundamentals of Islam were violated at the hands of these very people who had served Islam for a long time..."

Khomeini asserts the superiority of Shi'i Imaams even over the Ambiyaa (alayhimus salaam). He thus says:

"It is one of the essential beliefs of our Shi'i school that no one can attain the spiritual status of the Imaam, not even the cherbim or the prophets."

(Writings and Declarations of Khomeini)

The Shiahs condemn the eminent Sahaabi, Hadhrat Abu Musaa Ash'ari (radiallahu anhu) in the following way:

"A weak old man, named Abu Moosa Ash'ari, who was also secretly hostile to Hadhrat Ali be nominated as the arbitrator from this side..."

"...these arbitrators (a reference to Hadhrat Abu Musaa Ash'ari and Hadhrat Amar Bin A's) sold the cause of Islam along with their souls to the Devil."

"Abu Moosa-e-Asharee, was a man with weak faith, more inclined to look after his worldly interest than the cause of religion."

(Introduction to Nahjul Balaaghah)

Condemning Hadhrat Abu Bakr (radiallahu anhu), Khomeini says:

"A certain person asked the Caliph a point of law and he was unable to answer; he was therefore unfit for the position of a leader and successor to the Prophet. Or again, a certain act he performed was contrary to the laws of Islam; hence he was unworthy of his high post."

(Writings and Declarations of Khomeini)

(We suppose that Khomeini and his horde of Shi'i priests are fit as leaders, but not Sayyiduna Abu Bakr--radiallahu anhu.--Editor)

Reviling Hadhrat Abu Hurairah (radiallahu anhu), Khomeini says:

"God knows what misfortunes Islam has suffered from its inception down to the present at the hands of these evil 'ulama'. Abu Hurairah was one of the fuqaha, but God knows what judgements he falsified for Muaawiyah and others like him, and what damage he inflicted upon Islam."

"But when a faqih like Abu Hurairah or a judge like Shurayh joins a government, he improves its standing while besmirching the reputation of Islam."

(Writings and Declarations of Khomeini)

The following falsehood is attributed by the Shiahs to Hadhrat Ali (radiallahu anhu):

This will suffice for a while. Insha'Allah, *The Majlis* will in future issues thoroughly expose the *baatil* of the Shi'i religion no matter how loud the agents of Shi'ism may howl. Allah Ta'ala says in the Qur'aan Shareef:

"And, they desire to extinguish the Noor of Allah with their mouths. But, Allah will complete His Noor even if the unbelievers detest it."

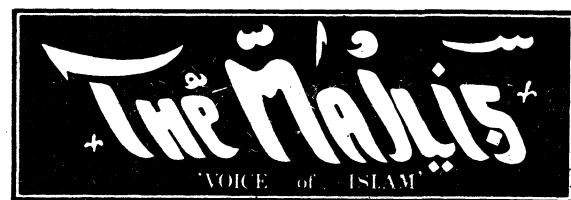
? BROTHERS

Some misguided elements, ostensibly members of the Sunni Ummah, are feverishly propagating the falsehood that the differences between the Shiahs and Sunnis are slight and of a technical nature. They are ardently labouring to create the belief that Shiahs and Sunnis are *brothers* when in all truth they are enemies. These errant propagandists and unofficial agents of Shi'ism, enamoured by the external facade of Islam rigged up by the present Shi'i clergy of Iran, are taking umbrage at the exposure of Shi'ism by the Ulama of the Ahle Sunnah Wal Jama'. But, they must get the message clear and loud that all their howlings and epithets against the Ulama-e-Haqq will not prevent the kufr and villainy of Shi'ism being laid bare. It devolves upon the Ulama of the Ahle Sunnah to expose the noxious and anti-Islamic beliefs and teachings of Shi'ism so that Muslims are not deluded into supporting the enemies of Rasulullah (sallallahu alayhi wasallam), thereby denuding their Imaan of the lustre and Noor which emanate from the Fountain of the Deen, viz., Rasulullah (sallallahu alayhi wasallam). The truth of Shi'ism must be plainly stated and its pernicious teachings exposed so that the Shi'i propaganda emerging from Tehran be effectively countered in the interests of the Imaan of the rank and file of the Ahle Sunnah Wal Jama'.

Most Muslims are not aware of what Shi'ism stands for. The external and superficial cloak of Islam donned by the Shi'i clergy coupled with the propaganda emerging from Tehran and the subtle endeavours of Khomeini's pedlars over here, are ensnaring unwary Muslims. Since the differences between Shi'ism and the Ahle Sunnah pertain to grave matters of Imaan and kufr, and not minor technical points and fiqhi masaa'il, it is essential that every Muslim be made aware of the beliefs and teachings of Shi'ism.

Under the false pretence of 'unity', the advocates of Shi'ism are toiling to foist the *baatil* of the Shiah religion on the Ummah. 'Unity' or imagined unity seems to be the craze of those deficient in Imaan and lacking in A'maal. Their concept of *unity* is of greater importance to them than the Imaan which is the product of *Wahi* which descended upon Rasulullah (sallallahu alayhi wasallam). In their politically motivated concept of unity, the product of the baneful *nafs* in the pursuit of aggrandizement and materialism, they are prepared to shelve and even discard the essential requirements of Imaan. For those of the Ahle Sunnah-- for the *ummah*-- this is intolerable.

Shi'ism cannot be reconciled with the Imaan taught and commanded by Rasulullah (sallallahu alayhi wasallam). That Imaan is entirely at variance with the brand of Islam advocated by Shi'ism. The Shariah of the Qur'aan is not the religion of the Shiahs. The Qadianis also claim to be following the Qur'aan and the Sunnah. The Shiahs too. But, their life, their religion, their beliefs and actions, their attitudes and conceptions are not those of that Imaan which the Ummah of Nabi-e-Kareem (sallallahu alayhi wasallam) knows. The differences between the Shiahs and us are too grave and glaring. We are at opposite poles. The gap is unbridgeable. There is nothing in common between us.



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